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**THE SOUTHERN CALIFORNIA DISTRICT
OF THE COMMUNIST PARTY
Structure—Objectives—Leadership**

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION

PART 2
SEPTEMBER 4 AND 5, 1958

Printed for the use of the Committee on Un-American Activities

(Index in Part 3)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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¹ Congressmen William E. Miller of New York and August E. Johansen of Michigan were appointed members of the committee by the 86th Congress, replacing Mr. Kearney and Mr. McIntosh.

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 2)

THURSDAY, SEPTEMBER 4, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:45 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Morgan M. Moulder, of Missouri.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BLAIR. I do.

TESTIMONY OF HARRIET BLAIR, ACCOMPANIED BY COUNSEL, ELMO VICKERS

Mr. TAVENNER. Will you state your name, please?

Mrs. BLAIR. Harriet Blair.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. VICKERS. I am Elmo Vickers. Do you want my office address, too?

Mr. TAVENNER. Yes.

Mr. VICKERS. 3409 West Beverly Boulevard, Montebello, Calif. The telephone number is Parkview 88-8184.

Mr. TAVENNER. Is Blair your married name or your maiden name?

Mrs. BLAIR. My married name.

¹ Released by the committee and ordered to be printed.

The executive testimony herewith released formed part of the background information on which is based the "Report on the Southern California District of the Communist Party: Structure—Objectives—Leadership," H. Rept. No. 259, released by the Committee on Un-American Activities on Apr. 3, 1959.

Mr. TAVENNER. What was your maiden name?

Mrs. BLAIR. Harriet Lewis.

Mr. TAVENNER. How do you spell Lewis?

Mrs. BLAIR. L-e-w-i-s.

Mr. TAVENNER. When and where were you born, please?

Mrs. BLAIR. In New York City, January 12, 1915.

Mr. TAVENNER. What is your occupation?

Mrs. BLAIR. I am a housewife.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mrs. BLAIR. Approximately in May 1944.

Mr. TAVENNER. Were you formerly a member of the Communist Party of the Southern District of California?

Mrs. BLAIR. The only way I can answer that question is by the first amendment which gives everyone the right to associate with whom they choose, and the fifth amendment, that portion of the fifth amendment which is intended to protect the innocent and permit people to refuse to answer questions of this kind because the answer of such a question will tend to incriminate me.

The CHAIRMAN. Then do we understand with that, that you decline to answer that question?

Mrs. BLAIR. I decline to answer that question.

Mr. TAVENNER. The investigation made by the committee up to the present time discloses that you were a delegate to the Southern California District convention of the Communist Party which met here in Los Angeles on April 13 and 14 of 1957. Is this information correct?

Mrs. BLAIR. For that question I have the same answer as previously stated.

Mr. TAVENNER. I haven't asked you your address. What is your address?

Mrs. BLAIR. 2114 Cowlin Street, Los Angeles.

Mr. TAVENNER. That is within the Los Angeles area of the Communist Party; is it not?

Mrs. BLAIR. For that question I have the same answer as previously stated.

Mr. TAVENNER. The committee has received information indicating the resignation of a number of members of the Communist Party after the difficulty arose in the National Convention of the Communist Party and the National Committee meetings relating to the Hungarian question and the execution of Nagy. Were you one of those who resigned?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Have you received a Communist Party assignment to be active within the Independent Progressive Party of California?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Were you not, in fact, chairman of the East Los Angeles Club of the Independent Progressive Party?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Were you not actually the director in 1954 of the Independent Progressive Party's campaign for the 19th Congressional District in Los Angeles?

Mrs. BLAIR. I decline to answer that question for the reasons already stated.

Mr. TAVENNER. Were you not also a member of the State Central Committee of the Independent Progressive Party in 1954?

Mrs. BLAIR. Same answer as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in 1954?

Mrs. BLAIR. I refuse to answer that question, too, for the reasons already given.

Mr. TAVENNER. The committee is informed that at the April 13 and 14 meeting of the Communist Party for the Southern District of California Dorothy Healey made a report in which she emphasized the importance of party work in mass organization, in which at that time she is said to have made this statement:

"So we start by trying to unite the members"—that is members of mass organization—"on issues already projected by their own organizations, and continue by finding the way to unite that organization and its members with others."

Did that represent the objective of the Communist Party in April of 1957?

(The witness confers with her counsel.)

Mrs. BLAIR. I refuse to answer that question for the reasons already stated and because I don't believe you really want my opinion about anything.

Mr. TAVENNER. Yes, I do not want your opinion but I want facts insofar as you are familiar with them. I want to ask you if you carried out that program of the Communist Party and whether you are doing it now.

Mrs. BLAIR. I refuse to answer this question on the grounds already stated.

Mr. TAVENNER. What other mass organizations are you a member of?

Mrs. BLAIR. I refuse to answer this question for the grounds already stated, the first and the fifth amendments.

Mr. TAVENNER. Have you received Communist Party instructions to become active in the Parent Teachers Association?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you active in the Parent Teachers Association?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Have you received Communist Party instructions to be active in the Girl Scout organization?

Mrs. BLAIR. Same answer.

Mr. TAVENNER. Are you active in such an organization?

Mrs. BLAIR. I decline to answer for the same reason already stated.

The CHAIRMAN. Is she a member of the Girl Scouts, Mr. Tavenner?

Mr. TAVENNER. I do not know, Mr. Chairman.

The CHAIRMAN. Are you a member of the Girl Scouts?

Mrs. BLAIR. I decline to answer that question.

The CHAIRMAN. On the grounds that it might incriminate you?

Mrs. BLAIR. Correct.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mrs. BLAIR. Thank you.

The CHAIRMAN. Call your next witness.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOSMAN. I do.

**TESTIMONY OF LORRIS GOSMAN, ACCOMPANIED BY COUNSEL,
JACK TENNER**

Mr. TENNER. I would like to express my thanks to Mr. Wheeler of the committee for taking my client as promptly as you did this morning. I just had some minor surgery.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. GOSMAN. Lorris Gosman.

Mr. TAVENNER. How do you spell your name?

Mr. GOSMAN. L-o-r-r-i-s G-o-s-m-a-n.

Mr. TAVENNER. Are you also known by the name of Lloyd?

Mr. GOSMAN. Lloyd?

Mr. TAVENNER. Yes.

Mr. GOSMAN. No.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. TENNER. Jack Tenner, T-e-n-n-e-r.

Mr. TAVENNER. Mr. Gosman, where do you reside?

Mr. GOSMAN. Los Angeles.

Mr. TAVENNER. At what address?

Mr. GOSMAN. 4039 Camero.

Mr. TAVENNER. Please state when and where you were born.

Mr. GOSMAN. New York City, January 16, 1913.

Mr. TAVENNER. What is your occupation?

Mr. GOSMAN. I am self-employed. Salesman.

Mr. TAVENNER. Have you had any other occupation within the past 7 or 8 years?

Mr. GOSMAN. I have worked——

Mr. TAVENNER. Let us say since 1950?

Mr. GOSMAN. Yes.

Mr. TAVENNER. Will you please state it?

Mr. GOSMAN. I was manager of a grocery market.

Mr. TAVENNER. Up until what period of time?

Mr. GOSMAN. Around 1952. Somewhere around there. I don't recall exactly.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. GOSMAN. January of 1948.

Mr. TAVENNER. Will you state briefly your formal educational training?

Mr. GOSMAN. High school graduate; 2 years of college.

Mr. TAVENNER. Mr. Gosman, in the course of the present investigation that the committee is making, the committee is informed that you were a delegate to a convention of the Los Angeles County Communist Party held in Los Angeles on January 5 and 6, 1957. Is this correct?

Mr. GOSMAN. I will decline to answer that, Mr. Tavenner, on the grounds of the first and fifth amendments of the Constitution of the United States.

Mr. TAVENNER. The committee information also is that there was a district convention of the Communist Party of Southern California, that is, the Southern District of California, held in Los Angeles on April 13 and 14, 1957, which was attended by you.

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. At the meeting just referred to a report was made by Dorothy Healey in which she explained the duty devolving upon Communist Party members in her district to take part in the activities of various mass organizations. Will you state, please, whether or not you have been engaged in Communist Party activities within mass organizations at the direction of the Communist Party?

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. Have you been active in the work of the Independent Progressive Party in this area at the direction of the Communist Party?

Mr. GOSMAN. I will decline to answer that on the same grounds.

Mr. TAVENNER. Have you been or were you active at the instance of the Communist Party in the work of the Citizens Committee to Secure Justice for the Rosenbergs?

Mr. GOSMAN. Same answer.

Mr. TAVENNER. Were you also active in behalf of the Communist Party, and at its suggestion, in the American Peace Crusade?

Mr. GOSMAN. I will decline to answer that on the same grounds. I also object to the "also," Mr. Tavenner. Those are your words. They are not mine.

Mr. TAVENNER. Yes, they are my words.

Mr. GOSMAN. You are implying that I was. That is your implication, not mine.

Mr. TAVENNER. Yes.

I offer in evidence a thermofax copy of an excerpt from the January 17, 1952, issue of Daily People's World and ask that it be marked "Gosman Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Gosman Exhibit No. 1" and retained in committee files.)

Mr. TENNER. May I have the date of that exhibit?

Mr. TAVENNER. January 17, 1952.

I refer to an article entitled, "Meeting To Spur Peace Pact Drive." It reads as follows:

A meeting to support a campaign around the worldwide petitions for a five-power peace pact will be held at 8:15 p.m. Friday at the home of Mr. and Mrs. Lorris Gosman, 1278 North Kingsley Drive. The meeting will be jointly sponsored by a group of citizens in the 24th Congressional District and by the American Peace Crusade.

Does not that article describe your participation in the work of the Peace Crusade?

(The witness confers with his counsel.)

Mr. GOSMAN. I will decline to answer that, Mr. Tavenner, on the same grounds.

Mr. TAVENNER. During the same year were you assigned to the East Hollywood Club of the 24th Congressional District, 56th Assembly District of the Independent Progressive Party?

Mr. TENNER. What would be the date of that?

Mr. TAVENNER. 1952.

Mr. TENNER. Thank you, sir.

Mr. GOSMAN. I decline to answer that on the same grounds.

Mr. TAVENNER. Were you solicited by anyone to become a signer of a letter of resignation addressed to the National Committee of the Communist Party in the spring of 1958?

Mr. GOSMAN. May I confer with my attorney on this?

(The witness confers with his counsel.)

Mr. GOSMAN. I decline to answer that on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. GOSMAN. I decline on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Were you a member of the Independent Progressive Party?

(The witness confers with his counsel.)

Mr. GOSMAN. I will decline to answer that. Same grounds.

The CHAIRMAN. All right. Any further questions?

Mr. TAVENNER. No, sir.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SWANHUYSER. I do.

TESTIMONY OF JANE SWANHUYSER, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. VOGEL. Mortimer Vogel; Hollywood.

Mr. TAVENNER. Is Jane Swanhuysen your maiden name or your married name?

Mrs. SWANHUYSER. My married name.

Mr. TAVENNER. What was your maiden name?

(The witness confers with her counsel.)

Mrs. SWANHUYSER. Garrett.

Mr. TAVENNER. Where do you reside?

Mrs. SWANHUYSER. I decline to answer that on the grounds that it is not pertinent, Mr. Tavenner, and the amendments to the Constitution.

Mr. TAVENNER. Are you a resident of Reseda, Calif.?

Mrs. SWANHUYSER. Same answer, sir.

The CHAIRMAN. I direct you to answer the question. Certainly we have a right to identify witnesses.

Mrs. SWANHUYSER. Yes, I reside in Reseda, sir.

Mr. TAVENNER. What is your occupation?

Mrs. SWANHUYSER. I am a housewife.

Mr. TAVENNER. Do you have any other occupation?

Mrs. SWANHUYSER. Occasionally I have been employed, but I am a housewife.

Mr. TAVENNER. What is the general nature of the employment?

Mrs. SWANHUYSER. I do market research.

Mr. TAVENNER. For any State or Federal Government agency?
(The witness confers with her counsel.)

Mrs. SWANHUYSER. No, sir.

Mr. TAVENNER. Will you state briefly what your formal educational training has been?

Mrs. SWANHUYSER. I graduated from high school and I have had some college training. I am not a college graduate.

Mr. TAVENNER. Will you please state the date and place of your birth?

Mrs. SWANHUYSER. I was born in St. Paul, Minn.

Mr. TAVENNER. I did not get the name.

Mrs. SWANHUYSER. St. Paul, Minn., on January 25, 1913.

Mr. TAVENNER. When did you first come to California with the view to making it your place of residence?

Mrs. SWANHUYSER. 1941, I think, about July.

Mr. TAVENNER. Have you lived in California constantly since that time?

Mrs. SWANHUYSER. I have.

Mr. TAVENNER. Were you a delegate to the California State convention of the Communist Party held on January 19 and 20, 1957?

Mrs. SWANHUYSER. I decline to answer that question, sir, on the grounds of the Constitution and the amendments thereto.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention held January 5 and 6, 1957?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. Do you know whether or not at that convention authority was given to divide the State of California into two districts, that of the Southern District of California and the Northern District of California?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Were you, in 1943, a member of the Van Nuys Club of the Communist Party?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Did you serve as executive secretary of that club?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. In 1951 were you an organizer for the Western Division of the Communist Party in California?

Mrs. SWANHUYSER. Same answer, sir.

Mr. TAVENNER. It is the committee's information that you have presently withdrawn from the Communist Party, that you are not now a member. So I want to ask you: Are you a member of the Communist Party at this time?

Mrs. SWANHUYSER. Same answer.

The CHAIRMAN. Is the information that the committee has, that you are not a member of the Communist Party, correct?

Mrs. SWANHUYSER. Same answer.

Mr. MOULDER. Were you a member of any organization which advocates the overthrow of our present form of government by force and violence?

Mrs. SWANHUYSER. Same answer.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a thermofax copy of an excerpt from the March 25, 1949, issue of the Daily People's World, entitled "Meet One of the L.A. 17, Jane Swanhuysen, Marxist, mother, American," and ask that it be marked "Swanhuysen Exhibit No. 1."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Swanhuysen Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the article and state whether or not the photograph contained within the article is your likeness?

Mrs. SWANHUYSEN. I decline to answer that on the same grounds.

Mr. TAVENNER. Are you the Jane Swanhuysen referred to in that article?

Mrs. SWANHUYSEN. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please. Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOVNER. I do.

TESTIMONY OF JULIUS KOVNER, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KOVNER. Julius Kovner.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. VOGEL. Mortimer Vogel; Hollywood.

Mr. TAVENNER. Where do you live, Mr. Kovner?

Mr. KOVNER. I decline to answer that question on the grounds of the Constitution and the Bill of Rights and the protection I am afforded thereby.

Mr. TAVENNER. Is your correct address 4253 Fulton Avenue, Van Nuys, Calif.?

Mr. KOVNER. I have declined to answer that question on the same grounds.

The CHAIRMAN. You are directed to answer the question.

Mr. KOVNER. I decline to answer that question on the grounds of the Bill of Rights, the 1st, 4th, 5th, the 9th, and 10th amendments.

Mr. TAVENNER. Were you born in Hartford, Conn., on September 18, 1912?

Mr. KOVNER. I was.

Mr. TAVENNER. What is your occupation?

Mr. KOVNER. I decline to answer that question on the same grounds as previously mentioned.

Mr. TAVENNER. Are you at the present time a member of the Carpenters Union in Van Nuys?

(The witness confers with his counsel.)

Mr. KOVNER. I decline to answer that question on the grounds previously mentioned.

Mr. TAVENNER. As a matter of fact, you were expelled by the union, weren't you?

Mr. KOVNER. Same answer.

Mr. TAVENNER. Weren't you expelled by that union for Communist Party activities?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Mr. Chairman, I desire to offer in evidence a thermofax copy of the May 22, 1951, issue of the People's World and also the September 28, 1950, issue of the People's World.

The CHAIRMAN. They will be marked.

Mr. TAVENNER. And mark them "Kovner Exhibits 1 and 2," respectively, in the inverse order in which I mentioned them.

(Documents marked "Kovner Exhibits Nos. 1 and 2," respectively, and retained in committee files.)

Mr. TAVENNER. Were you a delegate from the San Fernando area to the Southern California District convention of the Communist Party held in Los Angeles on April 13 and 14, 1957?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee has learned through reports that have been made available to it in the form of a statement made by Dorothy Healey at the district convention of the Southern District of California, held in April 1957, that special emphasis was being placed at the time upon the work of members of the Communist Party in various mass organizations. I would like to ask you whether or not that is a continuation of the policy and purpose of the Communist Party or whether there was anything new regarding the Communist Party decision at that time?

Mr. KOVNER. You would know that better than I.

Mr. TAVENNER. Well, I am not so sure. I think I do know a good bit about it, but according to the information of the committee, you engaged in that type of activity, and if that is so, there is no one in a better position to describe your own activities than you. So, therefore, I am asking you the question.

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you a member of the Studio City Club of the Independent Progressive Party?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you engage in activities within that party at the instance of any Communist Party unit or Communist Party functionary?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. In 1954 were you a member of the California State Central Committee of the Independent Progressive Party?

Mr. KOVNER. I decline to answer that question. Same grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of an Independent Progressive Party appointment of members of the State Central Committee for the year 1954 with regard to three persons, the second of whom is Julius Kovner, and ask that it be marked "Kovner Exhibit No. 3."

The CHAIRMAN. It will be marked.

(Document marked "Kovner Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. Will you examine exhibit No. 3, Mr. Kovner, and state whether or not the second name appearing among the three appointments is your name.

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. I also offer in evidence a photostatic copy of a similar document for the year 1948 and ask that it be marked "Kovner Exhibit No. 4."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. Will you examine exhibit No. 4 and state whether or not your name appears on line 3 of the appointees?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. That document is for the year 1948. During the same year of 1948 were you not active in circulating petitions for the Independent Progressive Party to participate in the primary election of that year?

Mr. KOVNER. I decline to answer on the same grounds.

Mr. TAVENNER. I offer in evidence a photostatic copy of an Independent Progressive Party petition to participate in the primary election of June 1, 1948, at the end of which there is an affidavit over the name of Julius Kovner, and ask that it be marked "Kovner Exhibit No. 5."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. Will you examine the signature of the name of Julius Kovner at the end of the affidavit and state whether or not it is your signature?

Mr. KOVNER. I decline to answer that question. Same grounds.

Mr. TAVENNER. Mr. Kovner, did you participate at the instance of the Communist Party or any functionary thereof in the National Youth Assembly Against Universal Military Training?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. I offer in evidence a thermofax copy of the February 16, 1948, issue of the People's World carrying an article entitled, "Army Draft Protest Set Tonight," and ask that it be marked "Kovner Exhibit No. 6."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. This document refers to one of the announced speakers as Julius Kovner, Valley Local of AFL Carpenters Union. Will you examine the exhibit, please, and state whether or not you appeared and took part in that rally as a speaker as indicated by the advance notice?

Mr. KOVNER. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you also actively participate at the instance of the Communist Party or any functionary of it in the work of the Civil Rights Congress?

Mr. KOVNER. I decline to answer. Same grounds.

Mr. TAVENNER. I offer in evidence as exhibit 7 a thermofax copy of the June 11, 1951, issue of People's World.

The CHAIRMAN. It will be made a part of the record.

(Document marked "Kovner Exhibit No. 7" and retained in committee files.)

Mr. TAVENNER. When did you first come to California for the purpose of making it the place of your permanent residence?

Mr. KOVNER. 1943.

Mr. TAVENNER. Have you lived and worked in California continuously since that time?

Mr. KOVNER. Except when I was in the Army.

Mr. TAVENNER. How long were you in the military service?

Mr. KOVNER. Approximately a year.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. KOVNER. I sure did.

Mr. TAVENNER. What has been your formal educational training?

Mr. KOVNER. I graduated from high school and got in about 2 or 3 years of night college.

Mr. TAVENNER. Where did you attend college?

Mr. KOVNER. Back East.

Mr. TAVENNER. Where?

Mr. KOVNER. Brooklyn College.

Mr. TAVENNER. Where did you attend high school?

Mr. KOVNER. De Witt Clinton High School.

Mr. TAVENNER. Where is that located?

Mr. KOVNER. New York.

Mr. TAVENNER. Where were you born?

Mr. KOVNER. Hartford, Conn.

Mr. TAVENNER. And the date of your birth is what?

Mr. KOVNER. I declined to answer that question before.

Mr. TAVENNER. Did you say that you answered that question before?

Mr. KOVNER. I don't think I did.

Mr. TAVENNER. I didn't think so, either. What is the date of your birth?

Mr. KOVNER. I declined to answer that question before.

Mr. TAVENNER. You refuse to tell how old you are? Weren't you born September 18, 1912?

Mr. KOVNER. You asked me that question before. I refused to answer it.

Mr. TAVENNER. I am interested in your reason. What reason could you possibly have——

Mr. KOVNER. I don't have to——

Mr. TAVENNER. For thinking that the answer to that question might tend to incriminate you?

Mr. KOVNER. Do I have to have a reason?

Mr. TAVENNER. Yes; you certainly do.

Mr. KOVNER. Just the feeling I have about the committee, the pertinency.

Mr. TAVENNER. As I mentioned earlier, the committee has learned of certain Communist Party plans through various reports made by Dorothy Healey. One section of her report deals with the activity of its members in the field of labor. Are you at this time engaged in Communist Party activities within any labor organization?

Mr. KOVNER. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MARSHALL. Yes; I do.

**TESTIMONY OF BERTHA MARSHALL, ACCOMPANIED BY COUNSEL,
DAN MARSHALL**

Mr. TAVENNER. Will you state your name, please?

Mrs. MARSHALL. Bertha Marshall.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Dan Marshall, admitted to the practice of law in the State of California and engaged in the practice of law in Los Angeles.

The CHAIRMAN. I did not hear the witness.

Mrs. MARSHALL. Bertha Marshall.

Mr. TAVENNER. Is that your married name or your maiden name?

(The witness confers with her counsel.)

Mr. TAVENNER. I think I can shorten this. I withdraw the question. Was your maiden name Bertha Kupper Smith?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer this question on the following grounds: By reason of the provisions of the first amendment which forbids this committee from abridging my freedom of speech, press, political belief and association, assembly and inquiry. By reason of the provisions of the fourth amendment of the Bill of Rights which makes me secure in my person, house, papers, and effects from this unreasonable search and seizure of this committee. By reason of the provisions of the fifth amendment of the Bill of Rights which forbids this committee from attempting to compel me to be a witness against myself, and attempting to deprive me of my liberty, property, and the right to earn a livelihood without due process of law, an amendment which creates a privilege for the innocent, and by the use of this privilege I admit no guilt whatsoever. By reason of the provisions of the sixth amendment of the Bill of Rights which requires you to confront me with any persons whom you say accuse me of wrongdoing.

By reason of the ninth amendment of the Bill of Rights which forbids your denying or disparaging the rights retained by the people, including all the constitutional rights contained in the first, fourth, fifth, and sixth amendments. By reason of the provisions of the 10th amendment of the Bill of Rights which forbids this committee from proceeding with this inquiry, which deals with powers reserved to the people.

This question lacks pertinency. This committee has not given me or made available to me any knowledge which conceivably could make this inquiry and this question pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative

purpose, being beyond the power conferred upon the Congress under the Constitution.

This committee has not made clear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my present objection to state for the record the subject under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic under inquiry is and the connective reasoning whereby the question now asked me relates to it.

Mr. MARSHALL. Will it be understood, Mr. Chairman, that if the witness declines to answer any further questions, she will be deemed to have so declined upon each, all, and every of the grounds she has now stated?

The CHAIRMAN. Yes.

Mr. TAVENNER. The grounds stated by you for your refusal to answer—I believe you read from a prepared statement made ahead of the hearing. Is that correct?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer that upon the same grounds.

The CHAIRMAN. Just a minute. The question was what was your maiden name, is that it?

Mr. TAVENNER. The primary question was whether or not her maiden name was Bertha Kuppersmith.

The CHAIRMAN. You are directed to answer the question, Mrs. Marshall, whether or not your name was Bertha Kuppersmith.

Mr. MARSHALL. We passed that question. I think we are on the memorandum.

The CHAIRMAN. I am directing her to answer the question.

Mr. MARSHALL. May we have the question read that you are directing her to answer?

The CHAIRMAN. Was your maiden name Bertha Kuppersmith?

Mr. MARSHALL. Could we have it again? May we have the reporter read the pending question?

The CHAIRMAN. Read the question.

Was your name Bertha Kuppersmith? You understand the question, don't you?

Mrs. MARSHALL. It was Bertha Kuppersmith.

The CHAIRMAN. The answer is "Yes, sir"?

Mrs. MARSHALL. Yes.

Mr. TAVENNER. That has taken about 20 minutes.

Mr. MOULDER. I would like to have the record show that the reasons given by the witness were taken from a written statement.

Mr. MARSHALL. What is the objection?

The CHAIRMAN. He is just making a statement.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Were you born April 9, 1901, in Stordzyentz, Rumania?

Mrs. MARSHALL. I decline to answer this question on grounds previously stated.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Were you naturalized as a citizen of the United States on May 21, 1928, in the State of New York?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

The CHAIRMAN. You are directed to answer the question. We are merely trying to identify you with a degree of certainty that will eliminate the possibility of any person by the same name becoming involved in this. Were you naturalized on that date?

(The witness confers with her counsel.)

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

The CHAIRMAN. All right.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention of the Communist Party held in Los Angeles on January 5 and 6, 1957?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you also a delegate to the Southern California District convention, held on April 13 and 14, 1957, in Los Angeles?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. The committee has learned through a report made by Dorothy Healey at the convention on April 13 and 14, 1957, that one of the main concentrations of the Communist Party at this time in this area is work within mass organizations. Have you been called upon by the Communist Party to engage in that type of work since the date of her report, April 1957?

Mrs. MARSHALL. I decline to answer on the grounds stated.

Mr. TAVENNER. Weren't you already engaged in work of that kind and had been so engaged for a number of years?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you assigned by the Communist Party or a Communist Party functionary to engage in Communist Party activities within the Independent Progressive Party in this State?

Mrs. MARSHALL. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Didn't part of your assignment consist of the circulation as early as 1948 of petitions of the Independent Progressive Party of California to participate in primary elections?

Mrs. MARSHALL. I decline to state on the grounds previously stated.

Mr. TAVENNER. I offer in evidence and ask that it be marked as "Marshall Exhibit No. 1" a photostatic copy of an Independent Progressive Party of California petition to participate in the primary election of June 1, 1948.

The CHAIRMAN. Make it a part of the record.

(Document marked "Marshall Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. I call the witness' attention to an affidavit, appearing at the end of the petition, over the signature of Mrs. Bertha Marshall. Will you examine the signature and state whether or not it is your genuine signature?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. Are you now actively engaged in political work at the instance of the Communist Party?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. Have you been instructed or directed by your Communist Party unit or any functionary of the Communist Party to keep your Communist Party identity a secret?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. TAVENNER. How long have you lived in California?

Mrs. MARSHALL. I decline to state on grounds previously stated.

Mr. TAVENNER. Were you not as early as 1943 a member of the Mid Town Section of the Communist Party in Los Angeles?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Were you not the membership director of this section of the Communist Party?

Mrs. MARSHALL. I decline to state, to answer this question on grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in April of 1957?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. MARSHALL. I decline to answer this question on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. I have forgotten whether or not the question was asked as to where you were born. I do ask you that question. In what country were you born?

Mr. MARSHALL. That has already been asked and answered.

Mr. MOULDER. Rumania. I have this question to ask, too. Have you conferred with any person or persons, other than your counsel, after having been served with a subpoena, as to how you would or should conduct yourself as a witness when appearing before this committee?

Mrs. MARSHALL. I decline to answer on grounds previously stated.

Mr. MOULDER. My reason for asking that question is that there seems to be a concerted action on the part of most all of the witnesses who have been subpoenaed to refuse any and all questions regardless of whether or not their refusal under the Constitution is a reasonable refusal, is being used in good faith.

The CHAIRMAN. That is all.

Mr. MARSHALL. Mr. Chairman, the witness objects to her name being released to the press as having appeared before this committee and likewise objects to any résumé of her testimony being given to the press and objects to any information being given as to the position she took in this hearing. We do not intend to give our name to the press, nor do we intend to tell the press anything that occurred in this room.

The CHAIRMAN. You should see what happened yesterday, Mr. Marshall.

Mr. MARSHALL. What happened, sir?

The CHAIRMAN. A witness, before he came in here, gave to the press a statement and then came in and testified. He had already given the statement to the press.

Mr. MARSHALL. We have not given a statement.

Mr. TAVENNER. His statement appeared in the public press before he testified.

Mr. MARSHALL. We do not know to whom you refer. It is not us.

The CHAIRMAN. We have been trying to the best of our ability to see to it that people do not get into nasty situations. We are not getting too much cooperation.

Mr. MARSHALL. You are getting it from this witness. She does not want her name released. She will not release it. She does not want it discussed with the press at all.

The CHAIRMAN. When she walks out, she is going to see some newspaper people.

Mr. MARSHALL. She is not going to say anything to them.

The CHAIRMAN. Someone knows her. Someone will recognize her.

Mr. MARSHALL. We will say nothing, and that is all there is to it.

The CHAIRMAN. All right.

(Members present: Representatives Walter and Moulder.)

(Brief recess.)

The CHAIRMAN. Raise your right hand, please, young lady. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HENRICKSON. I do.

TESTIMONY OF ELLIE HENRICKSON, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Will you state your name, please?

Mrs. HENRICKSON. Ellie Henrickson.

Mr. TAVENNER. Is that your married name?

(The witness confers with her counsel.)

Mr. TAVENNER. I think first you had better spell your name for the record.

Mrs. HENRICKSON. My last name?

Mr. TAVENNER. Both names.

Mrs. HENRICKSON. It's E-l-l-i-e H-e-n-r-i-c-k-s-o-n.

Mr. TAVENNER. Now my question is whether or not that is your married name.

(The witness confers with her counsel.)

Mr. MOULDER. May I interrupt the counsel and witness? Will you reframe that question? Is that Mrs. or Miss?

Mrs. HENRICKSON. It is Mrs.

Mr. TAVENNER. What was your maiden name?

Mrs. HENRICKSON. Mr. Chairman, I am going to decline to answer this question on the following grounds: First of all, by reason of the first amendment, which states that Congress shall make no law abridging freedom of speech or of press or the right of the people to peaceably assemble.

I am also declining to answer this question based on the fourth amendment of the Constitution, which gives me the right to be secure in my house and papers from the kind of unreasonable search and seizure by this committee.

I am also declining based on my rights under the fifth amendment of the Constitution which forbids the committee to compel me to be a witness against myself and to deprive me of my liberty and property and the right to earn a livelihood without due process of law. I would like to make it very clear that this is an amendment which protects the innocent and that I am not feeling that I am hiding anything. I do not feel guilty, but I do feel that under the atmosphere that has been created here I could, in answering this question, could tend to incriminate me.

I would also like to decline this question based under my rights of the sixth amendment of the Constitution, which requires this committee to confront me with any witnesses who might accuse me of any wrongdoing. I am not aware of any wrongdoing.

I would also like to decline under the ninth amendment of the Constitution, which forbids this committee or Congress from denying or disparaging any of the rights that are retained by the people, including all the rights under the Constitution.

I would also like to decline under the 10th amendment of the Constitution, which forbids this committee from proceeding with any inquiry which deals with powers that are reserved to the people.

Finally, I would like to decline based on lack of pertinency. I cannot see where this question is pertinent since the committee has not given me any understanding as to the basis for this inquiry, to make it clear beyond a reasonable doubt as to what the inquiry deals with. I cannot see how this question is pertinent.

Mr. TAVENNER. May I have a direction that she answer the question?

The CHAIRMAN. I direct the witness to answer.

Mr. MARSHALL. Just a minute, Mr. Tavenner. She may not have finished her answer.

Mrs. HENRICKSON. I would like to restate the question of pertinency, that this question lacks pertinency and this committee has not given me or made available to me any knowledge which conceivably could make this inquiry and this question pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative purpose. It is beyond the power conferred upon the Congress under the Constitution.

The committee has not made clear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my objection on the ground of pertinency to state for the record the subject under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic under inquiry is, and the connective reasoning of why the question now asked relates to it.

The CHAIRMAN. Mrs. Henrickson—

Mr. MARSHALL. Mr. Chairman, would you wait just a moment? I think there might be more to the answer.

The CHAIRMAN. You just go on and read all that material that your lawyer has given you and then be ready to answer the question.

Mrs. HENRICKSON. I did not quite understand.

Mr. MARSHALL. May the reporter read what you said?

The CHAIRMAN. When you are ready to answer the question, let me know, will you, please? I will wait here.

Mr. MARSHALL. The witness has completed her answer.

The CHAIRMAN. You haven't been asked any question except as to your identity. This question was asked for the purpose of making it abundantly clear in the record who it is that we are about to interrogate. So I direct you to answer the question as to your maiden name.

Mr. MARSHALL. Will it be agreed, Mr. Chairman, that if the witness declines to answer any further questions, including the pending one, she will be deemed to have declined upon all of the grounds she has just stated?

The CHAIRMAN. Yes. Let the record show that in the event the witness declines to answer any questions, the reasons are the ones she read from the paper before her when she was first asked the question.

Mr. MOULDER. She was directed by the Chair to answer the question.

Mr. TAVENNER. Yes.

(The witness confers with her counsel.)

Mr. MOULDER. Counsel asked her what her maiden name was. She has not responded to that question.

Mrs. HENRICKSON. I am the person who has been subpoenaed and I think this has established my identity. I will refuse to answer this question further on the grounds that I have already stated.

Mr. TAVENNER. The witness has placed another condition to her refusal to answer, so I think the record ought to show another clear direction for her to answer.

The CHAIRMAN. Yes. She was directed, and she just declined to answer. What was her maiden name, Mr. Tavenner?

Mr. TAVENNER. I would like to find out from her if her maiden name was Ellie Gutman, who was born on February 26, 1922, in Munich, Germany.

Mr. MARSHALL. Is that a question?

Mr. TAVENNER. Yes, sir.

(The witness conferred with her counsel.)

Mrs. HENRICKSON. I am declining to answer this question on the grounds I have previously stated.

Mr. MOULDER. May I ask just one question?

In your reasons for not answering that question you referred to provisions of the Constitution which you claim the protection of, innocent persons, and you referred to yourself as being an innocent person. In your reasons for claiming the protection of the fifth amendment, as I recall, you stated that the answer to the question may tend to incriminate or subject you to criminal prosecution. How can you be consistent in claiming on the one hand that the statement which you have read, the reasons stated for the protection of yourself as an innocent person, and at the same time claim the provision of the fifth amendment?

Mrs. HENRICKSON. I would simply—

(The witness confers with her counsel.)

Mrs. HENRICKSON. As far as I know, I think this is a question of record, there have been times when innocent people have been subject to prosecution, so I would not answer the question.

Further, I will not answer the question based on the grounds that I have previously stated.

Mr. MOULDER. When did you come to this country from Munich, Germany?

Mrs. HENRICKSON. I decline to answer this question on the grounds I previously stated.

Mr. MOULDER. Are you a naturalized citizen?

Mrs. HENRICKSON. I am.

Mr. MOULDER. And where were you naturalized or admitted as a citizen?

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. TAVENNER. Are you the same person as Ellie Gutman who was naturalized in San Francisco, Calif., by decree of the court on June 5, 1944?

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on June 5, 1944?

Mrs. HENRICKSON. I decline to answer this question based on the reasons I have previously stated.

Mr. MOULDER. May I specifically ask you, in those reasons that you have stated, you claimed the protection under the fifth amendment of the Constitution?

Mrs. HENRICKSON. I claim the protection of all the grounds I have previously stated.

Mr. MOULDER. Including the fifth amendment?

Mrs. HENRICKSON. Including the fifth amendment, all the grounds.

Mr. MOULDER. Do you fear that if you answer that question truthfully it may tend to incriminate you or subject you to prosecution?

Mr. MARSHALL. A word or two was blotted out. May I have the reporter repeat it?

Mr. MOULDER. I asked if she truthfully answered the question, does she fear that the answer might supply evidence or information which might subject her to criminal prosecution.

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer based on the grounds I have previously stated.

Mr. MOULDER. I believe, Mr. Chairman, that she is certainly compelled to use good faith in claiming the provisions in refusing to answer the question and has to show good faith in so doing, and that is not evidence of good faith by declining to answer the question as to whether or not she is in good faith claiming the provisions of the Constitution in refusing to answer the question.

Mr. MARSHALL. Is there a question pending or was that just an observation of the gentleman?

Mr. MOULDER. It was my observation, and I request the chairman to direct the witness to answer that question which I have asked her.

(The witness confers with her counsel.)

The CHAIRMAN. You are directed to answer the question.

Mrs. HENRICKSON. In good faith I decline to answer based on my rights under the Constitution as previously stated.

Mr. MOULDER. You have not stated whether or not you actually fear prosecution if you truthfully answer the question.

Mrs. HENRICKSON. I am basing myself on all the rights that are guaranteed me under the Constitution.

The CHAIRMAN. Mrs. Henrickson, when did you come to the United States?

Mrs. HENRICKSON. I am sorry. I did not hear the question.

The CHAIRMAN. When did you come to the United States?

Mrs. HENRICKSON. This is the same question, and I decline to answer.

The CHAIRMAN. No, it is not the same question.

Mr. MARSHALL. Was the question withdrawn?

The CHAIRMAN. I will withdraw it.

Mr. MARSHALL. The question is withdrawn.

Mr. TAVENNER. Is your present address 5068 West 20th Street, Los Angeles?

Mrs. HENRICKSON. I will answer this by saying that I live at the address that is mentioned in my subpoena. I will decline to answer this question on my constitutional rights as previously stated.

Mr. TAVENNER. Is your husband's name Stanley William Henrickson?

Mrs. HENRICKSON. When I mentioned my grounds, I pointed out that this was an unlawful infringement on my personal rights. I will not involve any other person in this, and I will further decline to answer this question based on my constitutional rights as previously stated.

Mr. TAVENNER. Did you live at Everett in the State of Washington prior to your coming to California?

Mrs. HENRICKSON. I am declining to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. In the course of hearings in Seattle, Wash., in June of 1954, Barbara Hartle, second in command in the Communist Party in the State of Washington, testified freely before this committee after she had been convicted and sentenced in the Smith Act case from that area. In the course of her testimony she was asked this question:

Will you proceed now to give us the names of persons whom you recall, from your personal knowledge, who were members of the Communist Party in other regions and in other section organizations of the Communist Party in the State of Washington?

In the course of her answer, she stated this:

Ellie Henderson, wife of Stan Henderson, whom I knew as a member and officer of the Everett Section of the Communist Party.

Was Barbara Hartle correct in identifying you as a member of the Communist Party of Everett, Wash.?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated. In addition, I want to repeat the question of lack of pertinency since this is a question of Los Angeles.

The CHAIRMAN. Mr. Tavenner, I am confused about the names. Is it Henderson or Henrickson?

Mr. TAVENNER. The spelling of her name as she gave it was Henrickson.

Mr. MARSHALL. How does the reporter have it?

Mr. TAVENNER. That is certainly more than a delaying action.

The CHAIRMAN. How do you spell your name?

Mrs. HENRICKSON. H-e-n-r-i-c-k-s-o-n.

Mr. TAVENNER. But the spelling as given by Mrs. Hartle or as it is in the record is H-e-n-d-e-r-s-o-n.

The CHAIRMAN. Let's get that clarified. Do you know this woman, Barbara Hartle?

Mrs. HENRICKSON. I decline to answer this question under my constitutional rights as previously stated.

Mr. TAVENNER. Mr. Chairman, to clarify the matter of spelling, I notice at the bottom of page 6180 of the committee's record there is a note referring to Stan Henderson as follows:

Identified on page 6149 as same individual as Stanley William Hendrickson.

The CHAIRMAN. How is that spelled?

Mr. TAVENNER. H-e-n-d-r-i-c-k-s-o-n.

The CHAIRMAN. You have no "d" in your name?

Mrs. HENRICKSON. No, I don't.

The CHAIRMAN. Are these the same individuals?

Mr. TAVENNER. That is what I am trying to find out. I think there is enough in this record to clarify it. I will go a little further with it.

On page 6149 of the record of the committee this question was asked by Mr. Kunzig:

Are there any others, please?

Mrs. HARTLE. Stan Henrickson, I believe it is.

Mr. KUNZIG. H-e-n-r-i-c-k-s-o-n?

Mrs. HARTLE. Yes, that is correct. In my communication with him formerly I had used the name Henderson and had never been corrected by him, but I have reason to believe that his name is Henrickson now.

That is why I asked this witness whether or not she was the wife of Stanley William Henrickson.

The CHAIRMAN. All right.

Mr. TAVENNER. Which she refused to answer. Did you live in Everett, Wash.?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. What is your husband's name?

Mrs. HENRICKSON. It is the same question, and I am giving the same answer.

Mr. MOULDER. May I inquire, Mr. Chairman?

Are you married now?

Mrs. HENRICKSON. I decline to answer this question based on my constitutional rights as I have previously stated them.

Mr. TAVENNER. Are you a member of the Zapata Section of the Communist Party in Los Angeles?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as previously stated.

Mr. TAVENNER. I do not believe I have asked you your occupation. What is your occupation?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution.

Mr. TAVENNER. Aren't you a social worker?

Mrs. HENRICKSON. This is the same question, and I decline to answer it based on the grounds I have previously stated.

Mr. TAVENNER. Aren't you employed at the Council of Jewish Women, 615 South Manhattan Place, Los Angeles, under the name of Ellie Goodman?

Mrs. HENRICKSON. I am the person who was subpoenaed on my job. I refuse to answer the question any further based on my rights under the Constitution as previously stated.

Mr. TAVENNER. When you were subpoenaed on your job, were you using the name of Ellie Goodman?

Mrs. HENRICKSON. I decline to answer this question based on my rights under the Constitution as I have previously stated.

Mr. TAVENNER. What reason do you have for concealing your true name?

(The witness confers with her counsel.)

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as previously stated.

Mr. TAVENNER. The committee's investigation reflects that you were a delegate to the convention of the Southern California District of the Communist Party held in Los Angeles on April 13 and 14, 1957. Is this information correct?

Mrs. HENRICKSON. This is the same kind of a question you have asked before. It invades my rights under the Constitution, and I decline to answer it based on the grounds I have previously stated.

Mr. TAVENNER. Is it not a fact you came to Los Angeles to make it the place of your permanent residence sometime during the year 1955?

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as previously stated.

Mr. TAVENNER. Are you a member of the Communist Party at this time?

Mrs. HENRICKSON. I decline to answer this question based upon my rights under the Constitution as I have previously stated them.

Mr. TAVENNER. Do you know whether a person by the name of Stanley William Henrickson, the same spelling as you gave for your name, was called as a witness on June 17, 1954, in Seattle, Wash.? That is, as a witness before this committee?

Mrs. HENRICKSON. Mr. Chairman, all these questions violate my right to free speech and to association as guaranteed to me under the Constitution. I decline to answer this question based upon my rights, my constitutional rights as previously stated.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Mr. Chairman, may I ask the witness a question?

I want to ask the witness if you care or if you wish to make any clarification of any answer or responses to questions which you have given.

Mrs. HENRICKSON. Mr. Chairman, would you explain what you mean by this question? I am really not clear about it.

Mr. MOULDER. There seems to be some confusion about your name or whether or not you were going under any name other than the name under which you were subpoenaed. I wondered whether or not you have any statement you wish to make to clarify or explain.

Mrs. HENRICKSON. I will let the record speak for itself.

The CHAIRMAN. All right.

Mr. MARSHALL. Mr. Chairman.

The CHAIRMAN. Do you have another witness?

Mr. MARSHALL. Yes. Mukes.

This witness objects to her name being given to the press.

Mr. TAVENNER. May I suggest, inasmuch as I am going to call his three witnesses successively, that he make those announcements at the end of all of them rather than taking up all the time that is being taken up with stating the same thing separately three times?

The CHAIRMAN. As far as we can control it, Mr. Marshall, we will do that.

Mr. MARSHALL. The previous witness was Mrs. Bertha Marshall.

The CHAIRMAN. What is the name of this witness?

Mr. MARSHALL. As stated in the subpoena.

Mrs. HENRICKSON. Any name.

Mr. MARSHALL. In other words, we object to any name being used for this witness appearing before the committee, and we object to any statement being made as to the nature of her answers here.

Mr. TAVENNER. Do you desire to make the same statement regarding your next witness? I have agreed to call next Fay Mukes.

Mr. MARSHALL. Yes; we do, Mr. Tavenner.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MUKES. I do.

TESTIMONY OF FAY KOVNER MUKES, ACCOMPANIED BY COUNSEL, DAN MARSHALL

Mr. TAVENNER. Will you state your name, please?

Mrs. MUKES. Fay Kovner Mukes.

Mr. TAVENNER. Miss or Mrs.?

Mrs. MUKES. I refuse to answer on the grounds of the 1st, 4th, 5th, 6th, 9th, 10th amendments of the Bill of Rights and the lack of pertinency. This question lacks pertinency. This committee has not given me or made available to me any knowledge which conceivably makes this inquiry pertinent with that degree of explicitness and clarity required by the due process clause.

The power of this committee is not unlimited. It has no general authority to expose the private affairs of individuals simply for the sake of exposure. This investigation is unrelated to any legislative purpose, being beyond the power conferred upon the Congress by the Constitution. This committee has not made it appear with undisputable clarity the subject matter of this inquiry. It is the duty of the committee upon my present objection on the grounds of pertinency to state the subject matter under inquiry and the manner in which this question is pertinent.

I further demand that this explanation must be meaningful and must describe what the topic of the inquiry is and whereby the question now asked relates to it.

Mr. MARSHALL. Will it be stipulated, Mr. Chairman, that if the witness declines to answer any further questions she will be deemed to have declined to so answer upon each, all, and every of the grounds that she has now stated?

The CHAIRMAN. It will be understood that the reasons for not answering the questions are those that she read from a piece of paper when she was asked whether or not she was married. Proceed.

Mr. TAVENNER. Are you not a sister of Julius Kovner, who has testified here earlier today?

Mrs. MUKES. I refuse on the grounds previously stated.

Mr. TAVENNER. Were you born on April 10, 1924, in New York City?

Mrs. MUKES. I decline to answer on the grounds stated.

Mr. TAVENNER. Your occupation is that of a legal secretary; is it not?

Mrs. MUKES. I decline to answer on the same grounds as previously given.

Mr. TAVENNER. Your address is 2001 South Curson, Los Angeles? Isn't that correct?

Mrs. MUKES. I decline on the same reasons previously given.

Mr. MOULDER. Mr. Chairman, I want to ask the witness this question: Would you answer any question propounded to you by counsel? (The witness confers with her counsel.)

Mr. MOULDER. That is a question I am asking you.

(The witness confers with her counsel.)

Mrs. MUKES. I would answer all proper questions, but I would decline on any improper questions.

Mr. MOULDER. I am trying to think of some question that you will answer. As I recall, Mr. Tavenner asked you your name. Have you given your name?

Mrs. MUKES. Yes.

Mr. MOULDER. What was it?

Mrs. MUKES. Fay Kovner Mukes.

Mr. MOULDER. Then he asked you if it was Miss or Mrs. I still don't understand your name.

Mrs. MUKES. Fay. My first name is Fay.

Mr. MOULDER. And the last name?

Mrs. MUKES. Kovner Mukes.

Mr. MOULDER. How do you spell that?

Mrs. MUKES. K-o-v-n-e-r M-u-k-e-s. They are two separate names.

Mr. MOULDER. Kovner Mukes.

Mrs. MUKES. Right.

Mr. MOULDER. I ask you, is it Miss or Mrs. Fay Kovner Mukes?

Mrs. MUKES. I decline to answer on the grounds that I previously mentioned.

Mr. TAVENNER. Were you a member of the Communist Party in November 1952?

Mrs. MUKES. I refuse to answer on the same ground previously cited.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an article appearing in the November 27, 1952, issue of Los Angeles Herald-Express. The caption of the article is, "State Probe Here Bares Red Plot to Control L.A. Housing. Solons Reveal Proof of Red Housing Plot." I ask that it be marked "Mukes Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Mukes Exhibit No. 1." and retained in committee files.)

Mr. TAVENNER. In the last paragraph of the article the following statement is made:

A former employe, Fay Kovner, a CHA clerk under Green until 1950, was described by the committee as an unfriendly witness. She refused to answer nearly every question put to her, including one as to whether her brother's name was Julius.

Will you examine the last paragraph and state whether or not you are the Fay Kovner referred to?

Mrs. MUKES. I decline to answer on the same grounds I previously stated.

Mr. TAVENNER. Were you a clerk in the City Housing Administration in or prior to 1952?

Mrs. MUKES. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Were you a delegate to the Los Angeles County convention of the Communist Party on January 5 and 6, 1957?

Mrs. MUKES. I refuse to answer on the grounds previously cited.

Mr. TAVENNER. The committee has information that you were a delegate to the Southern California District convention of the Communist Party held on April 13 and 14, 1957. Is this correct?

Mrs. MUKES. I refuse to answer on the same grounds previously cited.

Mr. TAVENNER. Were you a delegate to that convention?

Mrs. MUKES. I refuse on the same grounds.

Mr. TAVENNER. Has any convention been held of the Southern California District of the Communist Party since April 13, 1957, to your knowledge?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. In the report made by Dorothy Healey, at the convention of April 13 and 14, 1957, great stress was laid by her upon the work of Communist Party members in mass organizations. Did you, after that date, engage in any Communist Party work in mass organizations at the direction of the Communist Party?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Hadn't you been engaged in work of that character prior to that date?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you a member of the Civil Rights Congress here in Los Angeles and took active part in the work of that organization?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you appointed on September 8, 1955, as chairman of the Echo Park Branch of the Civil Rights Congress?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you participate at the instance of any Communist Party unit or functionary in the work of the Labor Youth League?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not hold membership in the Labor Youth League?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Our information is that you were not in attendance at a meeting on July 27, 1958, of the District Council of the Commu-

nist Party here in Los Angeles, but were you officially informed in your section of the Communist Party as to what transpired at that meeting?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party on July 27, 1958?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. MUKES. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Are you a citizen of the United States?

(The witness confers with her counsel.)

Mrs. MUKES. I decline on the same basis, same grounds as previously stated.

Mr. MOULDER. Are you a member of any organization which advocates the overthrow of our Government by force and violence?

Mrs. MUKES. I decline on the same grounds.

Mr. MOULDER. Do you have any knowledge or information concerning the activities of any person advocating the overthrow of our Government by force and violence?

Mrs. MUKES. I decline on the same grounds.

Mr. TAVENNER. Was the place of your birth New York City?

Mrs. MUKES. I decline on the same grounds.

Mr. TAVENNER. When did you first come to California?

Mrs. MUKES. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LUSHER. I do.

TESTIMONY OF ROSEMARY LUSHER, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mrs. LUSHER. Rosemary Lusher.

Mr. TAVENNER. Do you have a middle name?

Mrs. LUSHER. No.

Mr. TAVENNER. Is not a part of your name Rosemary Haskell Lusher?

Mrs. LUSHER. Well, I think that I will have to refuse to answer that.

Mr. TAVENNER. You have to refuse to tell your name?

Mrs. LUSHER. I believe I told you my name.

Mr. TAVENNER. Miss or Mrs.?

Mrs. LUSHER. Mrs.

Mr. MOULDER. May I ask, Mr. Chairman, if she would state her full name.

Mr. TAVENNER. Yes.

Mrs. LUSHER. I did state my name.

Mr. TAVENNER. But you did not state your full name, as the Congressman indicated.

Mrs. LUSHER. That is my full name, Rosemary Lusher.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. Surely. My name is John T. McTernan, of the firm of Margolis, McTernan and Branton, 112 West 9th Street, Los Angeles 15, Calif.

Mr. TAVENNER. Is your husband's name Bernard Lusher?

(The witness confers with her counsel.)

Mrs. LUSHER. I am sorry. Would you ask me the question again?

Mr. TAVENNER. Is your husband's name Bernard Lusher?

Mrs. LUSHER. Yes, it is.

Mr. TAVENNER. What was your maiden name?

Mrs. LUSHER. Well, Counsel, I am sorry. How do I address you?

Mr. TAVENNER. You need not address me at all if you don't like. Just answer the question.

The CHAIRMAN. Mr. Tavenner.

Mrs. LUSHER. You are Mr. Tavenner. I am quite willing to call you Mr. Tavenner. I would like to know what the point of your line of questioning is because I don't really see the pertinency at this moment.

Mr. TAVENNER. At this moment it is to properly identify you.

Mrs. LUSHER. I believe that the name Rosemary Lusher will properly identify me.

Mr. TAVENNER. Are you the same person as Rosemary Wylde?

Mrs. LUSHER. Well, Counsel, you know, I would again like to know what the pertinency of the question is.

Mr. TAVENNER. May I have the direction that the witness answer?

The CHAIRMAN. You are directed to answer the question. We are trying to identify you so there will be no question about who you are for the record.

Mrs. LUSHER. I believe that my name does identify me sufficiently. Since you have directed me to answer the question, then I feel that perhaps at this point I should indicate to you why I cannot answer this particular question.

I have given a lot of thought to this problem since I received the subpoena a month ago, and I really don't know whether to try to say what I am going to say to you or not, because it is really kind of a question of trying to communicate between people, and I don't know if you want to understand what I am trying to say. I don't even know if you really fully understand what you do to people when you issue these subpoenas to them and bring them in like this.

Mr. TAVENNER. This is not responsive to the question at all.

Mrs. LUSHER. The torture you put them through. I want to be responsive to the question and I am explaining why I can't answer this question to you.

You see, I feel that when you bring people in like this, against their will, in effect you are trying to compel us, you are trying to compel me to deny my own right as a free American citizen to be a free American citizen, and the only way you can deny it is if you don't understand me, if you don't try to understand what I believe and what I say. If I have done anything wrong, then I believe you know that I should be tried in a court.

Congressman Doyle, who is on this committee, has said that when you are called before this committee you are thereby convicted. I

believe that this is not right. When you do this to me and to these other people, you can only do it if you deny——

The CHAIRMAN. No one is being convicted of anything. You are not charged with anything. We are making an inquiry for reasons that are perfectly apparent. You have been asked a very simple question. I direct you to answer the question.

Mrs. LUSHER. What are the reasons that are so apparent to you, that are not apparent to me?

The CHAIRMAN. We are endeavoring to draft legislation that is designed to protect the unwary from enlisting in causes either Communist-inspired or Communist-dominated, and there are a great many well-meaning people who become connected with organizations having lofty-sounding purposes which are actually nothing but Communist fronts.

In order to preserve this form of government that they appear to be so deeply interested in, we feel it is necessary to legislate in order to protect people not as intelligent as you obviously are. So now we are asking you some preliminary questions so we know who you are.

You are not charged with anything. No one is going to be charged with anything.

Mr. TAVENNER. I might say, Mr. Chairman, I am confident that the witness has misinterpreted any statement Mr. Doyle may have made on that subject.

The CHAIRMAN. Of course. Go ahead and ask the question. What was the question, Mr. Tavenner?

Mr. TAVENNER. Would you read the question, please?

Mrs. LUSHER. As I say, I feel that I have to refuse to answer this question, first of all, on what I believe deeply is an important ethical and moral ground.

The CHAIRMAN. What question are you not answering?

Mrs. LUSHER. Well, I believe he wanted to know—what did you want to know? You want to know if the name I was born with was Wylde?

The CHAIRMAN. Now you are declining to answer a question. What question are you declining?

Mrs. LUSHER. This is the question, isn't it?

The CHAIRMAN. What is it?

Mrs. LUSHER. Maybe counsel would repeat it so I don't say it incorrectly.

The CHAIRMAN. You are declining to answer something. What are you declining to answer?

(The witness confers with her counsel.)

Mrs. LUSHER. Well, I shall have to refuse. The question, as my counsel informs me, was whether I was known as Rosemary Wylde, and as I said, I am going to have to refuse to answer on this, what I consider this ethical and moral ground, that this committee, by bringing people in against their will is denying our basic human rights and is treating us as something less, as subhuman, in such a way that we have to, if we want to maintain our own belief in the dignity of the individual, we have to decline to cooperate.

Of course, beyond those grounds, I have to also decline to answer on the grounds of the first amendment of the Bill of Rights, which forbids the committee to abridge my freedom of speech and press, my

political beliefs and associations and assembly and inquiry; on the grounds of the fourth amendment of the Bill of Rights, which makes me secure in my home and free from unreasonable search and seizure; on the grounds of the fifth amendment of the Bill of Rights, which prevents this committee from attempting to compel me to be a witness against myself, and attempts to deprive me of my liberty and property and the right to earn a livelihood without due process of law. This is an amendment which protects the innocent, and of course, as you have said, I am not charged with anything, and I therefore assume that you know, as I know, that I am innocent. And by the use of the fifth amendment I am not admitting to any guilt of any kind.

The CHAIRMAN. Why did you make that statement?

Mrs. LUSHER. Because I was very—

(The witness confers with her counsel.)

Mrs. LUSHER. I will continue with my grounds.

On the ground of the sixth amendment of the Bill of Rights, which provides that you should confront me, if you wish to, with any persons with whom you are accusing me of any wrongdoing.

And the ninth amendment of the Bill of Rights, which forbids the denying of any of the rights retained by the people, such as the rights that are guaranteed in the first, the fourth, the fifth, and the sixth amendments. And the 10th amendment of the Bill of Rights, which forbids this committee from proceeding in to inquire, from dealing with any powers that are reserved to the people.

And, of course, on the ground which I had mentioned before, on the question of pertinency, since I really cannot see that the inquiry that you are conducting with me has genuine pertinency which would lead to legislation such as you have indicated, since I believe that the recent ruling of the Supreme Court has held that legislation which has been passed in the area which you have defined was not valid.

So that I believe that—I find it hard to believe that this investigation can be conducted for the purposes of genuine legislation which will not be legislation which will be unconstitutional.

The CHAIRMAN. Ask another question.

Mr. TAVENNER. Yes, sir. Were you born in Vermilion, Alberta, Canada?

(The witness confers with her counsel.)

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I am afraid that I shall have to refuse to answer this question on all the grounds previously stated.

Mr. TAVENNER. May I have a direction that the witness answer?

The CHAIRMAN. You are directed to answer that question. It is merely for identification.

Mrs. LUSHER. I am afraid that I shall have to decline on all the grounds.

Mr. TAVENNER. Do you decline?

Mrs. LUSHER. On all the grounds that I have previously stated.

The CHAIRMAN. All right, proceed.

Mr. TAVENNER. Are you a naturalized American citizen?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I shall have to refuse that question on all the grounds that I have previously stated.

Mr. TAVENNER. Were you not naturalized as a citizen of the United States in Los Angeles on November 8, 1946?

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I shall have to refuse to answer that question on all the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on November 8, 1946?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I shall have to refuse to answer that question on all the grounds that I have previously stated.

Mr. TAVENNER. Is your present address 3115 Minnesota Street, Los Angeles, Calif.

Mrs. LUSHER. Well, I have no objection, since my subpoena was served there, why, I am sure you know it.

Mr. TAVENNER. Thank you for answering that question.

How long have you lived in Los Angeles?

Mrs. LUSHER. Well, Mr. Tavenner, I don't see the pertinency of this question, and I shall have to refuse to answer it on all the grounds that I have previously stated.

Mr. TAVENNER. Is your present occupation that of executive director of the American Russian Institute in Los Angeles?

Mrs. LUSHER. I am sorry, Mr. Tavenner, but I shall have to decline to answer that on the grounds previously stated—on all the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an announcement entitled, "Open House at the American Russian Institute, Monday, April 4, 1955, 1024¼ North Western Avenue, Los Angeles," stating:

Honor the retiring Executive Secretary, Reva Mucha. Welcome the new Executive Secretary, Rosemary Haskell.

I ask that it be marked "Lusher Exhibit No. 1."

The CHAIRMAN. Is there any connection?

Mr. WHEELER. That is her previous married name.

Mr. TAVENNER. Is it admitted?

The CHAIRMAN. Yes.

(Document marked "Lusher Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the document, please, and state whether or not you are the person mentioned as the new executive secretary of that organization?

(The witness confers with her counsel.)

Mr. TAVENNER. May I inquire of counsel, Do you wish to have a longer period of time to confer with the witness?

Mr. McTERNAN. Thank you, Mr. Counsel; I think we have just about concluded.

(The witness confers with her counsel.)

Mr. McTERNAN. Are you thinking of taking a luncheon recess at this time?

The CHAIRMAN. Have you any more questions, Mr. Tavenner?

Mr. TAVENNER. Yes, sir; I have.

Mr. McTERNAN. There is a question pending.

The CHAIRMAN. Yes. Are you going to answer that question?

Mr. McTERNAN. We were discussing it.

Mrs. LUSHER. Did you say that you wanted to take a luncheon recess?

Mr. TAVENNER. No. I asked you a question. Would you please answer it?

Mrs. LUSHER. Would you repeat the question?

Mr. TAVENNER. Read her the question.

(The question was read.)

Mrs. LUSHER. Mr. Tavenner, could I ask you what your line of questioning intends to be?

Mr. TAVENNER. I am going to ask you regarding your knowledge of the Communist Party activities in the area of Los Angeles.

Mrs. LUSHER. Mr. Tavenner, of course, I have already declined to, or I will decline to, answer any such questions.

Mr. TAVENNER. Do you answer this question? I have asked this question. You have taken quite a considerable length of time. Will you please either answer it or refuse to answer.

Mrs. LUSHER. Mr. Tavenner, when you say I have taken a considerable length of time, I think you have to realize that I have taken considerable lengths of my time, too, and many other people, and you have to, I think, realize what you know the effect——

The CHAIRMAN. Answer the question, please.

Mr. TAVENNER. Just please answer the question.

Mrs. LUSHER. I am afraid I have to decline to answer the question on all the grounds previously stated.

Mr. TAVENNER. Were you a member of the Communist Party on April 4, 1955?

Mrs. LUSHER. I am sorry, I have to decline to answer the question on all the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of a letter on the stationery of the American Russian Institute bearing date of April 28, 1958, and ask that it be marked "Lusher Exhibit No. 2."

The CHAIRMAN. Make it a part of the record.

(Document marked "Lusher Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. This letter indicates that it is over the signature of a person by the name of Rosemary Haskell, executive secretary. Will you examine the document, please, and state whether or not the signature there is your signature or that you signed the name "Rosemary Haskell"?

Mrs. LUSHER. I see that this letter is relating to——

Mr. TAVENNER. I asked the witness no question regarding the content of the letter. My question was whether or not she signed it.

Mrs. LUSHER. Have you read the letter?

The CHAIRMAN. Did you sign that letter?

Mrs. LUSHER. Well, I am afraid that I have to decline to answer that question, but in declining I would——

The CHAIRMAN. All right. You declined to answer the question. Ask another question.

Mrs. LUSHER. I would like to state my grounds first.

The CHAIRMAN. It is understood the grounds are those that you read from the piece of paper. You don't have to read it again.

Mrs. LUSHER. No, but I would like to add to my grounds that I have previously stated because I feel that this letter reflects the official State Department policy on cultural exchange between our country and the Soviet Union, a policy that I believe the State Department is proud of

and feels is going to help to prevent war and, we hope, lead to better understanding between America and the Soviet Union.

The CHAIRMAN. We understand all of those things, and we are very careful to see to it that our foreign policy is not adversely affected. The question is, Did you write the letter?

Mrs. LUSHER. If I may state my grounds——

The CHAIRMAN. Did you write it?

Mrs. LUSHER. May I state my grounds for refusing to answer?

The CHAIRMAN. Did you write it? And then you can state your grounds. Did you or didn't you write the letter?

Mrs. LUSHER. I would have to decline to state whether or not I wrote the letter or not, but I would like to state my grounds.

Mr. TAVENNER. Were you not the executive secretary of the American Russian Institute in Los Angeles in April 1958?

Mrs. LUSHER. Mr. Tavenner, I am going to have to decline to answer your question, and I would like to state my grounds for doing so. Would you like to see the letter?

The CHAIRMAN. Yes.

Mrs. LUSHER. My constitutional rights guarantee me, I believe, freedom of association, and any activities which I might engage in are activities of which I am proud, which I don't feel that you are genuinely inquiring into.

Certainly this letter, which is to encourage people to buy tickets to see the Moiseyev Dancers, who, as you may recall, took Los Angeles and the United States by storm, had a tremendous success.

The CHAIRMAN. I saw it myself in Washington.

Mrs. LUSHER. How did you like it?

The CHAIRMAN. That is immaterial. What difference does it make? You declined to answer for the reasons that you have given.

Mrs. LUSHER. I have to decline to answer for all the reasons that I have previously stated, but I feel that it is important that in looking at the content of this letter——

The CHAIRMAN. Do you want to come back this afternoon? I have a luncheon engagement.

Mrs. LUSHER. I would be very happy to, sir.

The CHAIRMAN. Do you have any more questions?

Mr. TAVENNER. Many.

The CHAIRMAN. We will recess until 2 o'clock this afternoon.

(Whereupon, at 12:15 p.m., the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, SEPTEMBER 4, 1958

(Members present at beginning of afternoon session were: Representatives Walter and Moulder.)

TESTIMONY OF ROSEMARY LUSHER—Resumed

Mr. TAVENNER. Mrs. Lusher, at the time of the noon recess we were discussing the letter on the stationery of the American Russian Institute dated April 28, 1958. The name signed to that letter is Rosemary Haskell. Were you known by the name of Rosemary Haskell by a former marriage?

Mrs. LUSHER. Well, Mr. Tavenner, and Congressmen, I gave some thought during the lunch hour to your question before lunch time and

of course the letter that you showed me which was supporting the sale of tickets for the Moiseyev Dancers was sent out by the Hollywood Bowl Association at their request. And of course I felt and feel that this program that was, is expressed in this letter is something that is very worthwhile and I hesitated before lunch to discuss my own association with the institute, with the American Russian Institute.

However, I have decided that I will do so because the earlier remarks that I made to you, you know, when I first came in this morning about the need for this committee to understand the witnesses that appear before them is something that I feel very strongly about. Now, maybe I am being naive and perhaps nothing I say will reach you. Maybe you have such a stereotype in your own minds toward the people who come before you that it is of no concern to you—you know, the effect that these hearings have on people. But I personally feel very strongly about it and you know I feel that you have a moral responsibility for what you do as I have a moral responsibility for what the position is that I take; and I feel that you know the people who have come before this committee and who have lost their jobs as a result of it, those who have committed suicide as a result of the pressure of such hearings as this are your responsibility.

The CHAIRMAN. That is about enough of that. Whose moral responsibility were you talking about in the Malibu Station some time ago? Don't give me any lecture about any moral responsibilities.

Mrs. LUSHER. So I would like to discuss, if I felt that I would get an understanding hearing here, the program of the institute. But perhaps I wouldn't get an understanding hearing.

Mr. TAVENNER. I have asked no question about the program of the institute.

The CHAIRMAN. What was your question?

Mr. TAVENNER. My question was whether or not she has been known by the name of Rosemary Haskell as a result of a former marriage.

Mrs. LUSHER. Well, I am sorry, but I believe that I shall have to decline to answer that question on all the grounds that I have previously stated.

Mr. TAVENNER. You mentioned earlier in your testimony that you were glad to give us your present address. It is the address given on this letter of April 28, 1958, is it not; 3115 Minnesota Street?

(Witness confers with her counsel.)

(No response.)

Mr. TAVENNER. It is up at the top right-hand corner.

Mrs. LUSHER. Mr. Tavenner, you know I believe that the document speaks for itself.

Mr. TAVENNER. Isn't it a fact that on April 28, 1958, 3115 Minnesota Street, Los Angeles, Calif., as given on this letterhead, was the address of your residence?

(Witness confers with her counsel.)

Mrs. LUSHER. Well, that was my address and, as I said, as I stated, that I am prepared to talk about the program of the American Russian Institute and my association with it, not in terms of naming any of the people who work with me in the institute, but I did work as executive secretary of the American Russian Institute.

Mr. TAVENNER. That is the question you refused all morning to answer.

Mrs. LUSHER. For 10 minutes.

Mr. TAVENNER. I am glad you have changed your mind about it. You have operated the American Russian Institute as its executive secretary from your home over a considerable period of time; have you not?

Mrs. LUSHER. No; just since last summer. We had a library at 1024 1/2 North Western and when we were no longer able to keep it open, financially, we actually closed it down and stored the books. The program of the institute is, and always has been since I have been associated with it, a nonpolitical one and an organization that has been interested in the program which is now the official program of our State Department, the question of cultural exchange between our country and the Soviet Union.

Mr. TAVENNER. Were you a member of the Communist Party from the time that you were elected the executive secretary of the American Russian Institute up until April 28, 1958, the date of the letter that I referred you to.

Mrs. LUSHER. Mr. Tavenner, I must decline to answer that question on all the grounds that I have previously stated. I believe that the program of the American Russian Institute stands for itself, and since it is one, which in effect, our State Department has also endorsed, it is one which Chairman Allen of the University of California recommended to the Rotarian meeting last January or February when Mr. Hearst spoke on his trip to the Soviet Union. Dr. Allen stood up and said that he felt that in addition to the very fine program that the State Department was carrying on for cultural exchange he also felt that person-to-person contact and individual responsibility in this field was very important.

And I feel that this is what I have done in the institute while we have been operating. And I personally feel that it is genuinely in the welfare and interests of the people of this country and I would like to see many more people work in such a program, and I feel that to bring people in who try to do this, and threaten them, that the way that has been done with me doesn't help matters any.

Mr. TAVENNER. Have you also been active in the Civil Rights Congress of Southern California?

Mrs. LUSHER. Well, I should decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I desire to offer in evidence a thermofax copy of a letter bearing date of October 8, 1954, on the stationery of The Defender, whereon it is stated that The Defender is the official organ of the Civil Rights Congress of Southern California. May it be marked "Lusher Exhibit No. 3"?

(Document marked "Lusher Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. I call your attention, Mrs. Lusher, to the signatures of three persons at the bottom of this letter which purport to be that of the editorial board. Will you examine it and state whether or not you see the name of Rosemary Lusher?

(Counsel confers with witness.)

Mrs. LUSHER. I believe the document speaks for itself.

Mr. TAVENNER. Did you sign the document?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. You will also see as the name of one of the editorial board members that of Elizabeth Spector. Will you examine it and look at it?

Mrs. LUSHER. Yes.

Mr. TAVENNER. Was she on the editorial board with you?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Is she the wife of Frank Spector?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. You will also, if you will look at the document, see the name of Don Wheeldin.

Mrs. LUSHER. Yes.

Mr. TAVENNER. Did he serve on the editorial board with you?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. On the date of that document, which is October 8, 1954, were Elizabeth Spector and Don Wheeldin members of the Communist Party with you?

(Counsel confers with witness.)

Mrs. LUSHER. Mr. Tavenner, of course, you know that is a loaded question, as you know very well, and——

Mr. TAVENNER. There is nothing loaded about the question. It is a direct question asking if you know that those people were members of the Communist Party.

Mrs. LUSHER. The latter phrase you used is certainly a loaded question. Naturally, I have to decline to answer it on all the grounds previously stated.

Mr. TAVENNER. Did you also take an active part in the financial support of the People's World, a Communist Party organ in Los Angeles?

(Counsel confers with the witness.)

Mrs. LUSHER. Well, I am afraid I don't quite understand your question, Mr. Tavenner.

Mr. TAVENNER. Very well. I offer in evidence a thermofax copy of a letter bearing date November 1956, signed by a number of persons, requesting financial support of the Daily People's World and ask that it be marked "Lusher Exhibit No. 4."

The CHAIRMAN. It will be marked and made a part of the record.

(Document marked "Lusher Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. Will you examine it, please, and state whether or not you see your name as one of those signed to the letter?

Mrs. LUSHER. I believe, Mr. Tavenner, that the document speaks for itself.

Mr. TAVENNER. I note on the document the name of Mrs. Rosemary Lusher. Did you sign the document?

Mrs. LUSHER. I must decline to answer that on all the grounds previously stated.

Mr. TAVENNER. At a convention of the Southern California District of the Communist Party held in Los Angeles on April 13 and 14, 1957, a report was made by Dorothy Healey which outlined the areas in which special work was to be done as determined by the National Committee of the Communist Party.

I know you were not present; at least from our information you were not present at that meeting. But I wanted to call to your attention that one of the prime objectives in this area as indicated by that report was calling upon the rank and file members of the Communist Party to concentrate upon infiltration and work in non-Communist organizations and in mass organizations.

Did that directive come to your attention after the date of that meeting?

Mrs. LUSHER. Mr. Tavenner, I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Weren't you engaged in that type of work for the Communist Party prior to that meeting?

Mrs. LUSHER. I am afraid I don't understand your question, Mr. Tavenner.

Mr. TAVENNER. Weren't you engaged in work for the Communist Party within various mass organizations over a considerable period of time before April 1957?

Mrs. LUSHER. Well, I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Was not one of the organizations that was organized to advance the Communist Party objectives in this area the Southern California Committee to Repeal the Smith Act and Other Anti-Labor Legislation?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Weren't you the secretary of that organization?

Mrs. LUSHER. I must decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I offer in evidence a thermofax copy of an article from the May 26, 1952, issue of People's World entitled, "300 LA unionists ask Truman veto of McCarran bill," and ask that it be marked "Lusher Exhibit No. 5."

The CHAIRMAN. Make it a part of the record.

(Document marked "Lusher Exhibit No. 5" and retained in committee files.)

Mr. TAVENNER. The paragraph which I desire to call to your attention reads as follows:

Opening remarks were made by Committee Secretary, Rosemary Lusher.

Will you examine it, please, and state whether or not you were the Rosemary Lusher referred to?

Mrs. LUSHER. Well, Mr. Tavenner, I would certainly support any action to veto the McCarran-Walter immigration law, and since it has become a law I would certainly take any action to repeal it because I do believe very sincerely that it is an undemocratic law.

Mr. TAVENNER. That isn't my question. My question is whether or not you were the secretary of that organization, whether you were correctly identified as such in that article.

Mrs. LUSHER. I am sure that in addition to the 300 trade unions referred to there were thousands of trade unionists and many other Americans who have come out in opposition to the McCarran-Walter law.

Mr. TAVENNER. Since you made that speech will you answer the question?

Mrs. LUSHER. I must decline to answer on all the grounds previously stated.

Mr. MOULDER. On that question, to what portion of the Walter-McCarran Act do you particularly object?

Mrs. LUSHER. Well, I think that the sections which restrict immigration, establish immigration quotas are not in the tradition our immigration had previously been in.

The CHAIRMAN. Previously been in—about three times as many people have come in last year under the newer law as under the old law. And the quotas are exactly the same. Quite obviously you are merely mouthing things said by the people opposed to the law.

Mrs. LUSHER. I do object to a law which deports people for their political beliefs.

The CHAIRMAN. Yes; that is correct, of course. Proceed.

Mrs. LUSHER. Whether they are Communists or not, and this, of course, is always a moot question in this kind of deportation hearings.

Mr. TAVENNER. Did you attend the Fifth Annual Conference of the Los Angeles Committee for Protection of Foreign Born at the Alexandria Hotel in Los Angeles on March 19, 1955?

Mrs. LUSHER. Well, I would like to know what the pertinency of this line of questioning is, Mr. Tavenner, if you don't mind telling me.

Mr. TAVENNER. I have asked you the question whether or not you were engaged in activity within different mass organizations and other groups for the Communist Party.

The question that I am asking you here is whether or not you engaged in this activity, and I want to follow it with the request for you to tell us to what extent you were acting for and in behalf of the Communist Party, if you were working in that organization.

(Witness confers with her counsel.)

Mrs. LUSHER. Well, Mr. Tavenner, I am not trying to be recalcitrant. I think I want to understand you and the members of the committee. I sincerely do. I may not convey the fact very easily, but I feel it very strongly, and I just cannot understand how this line of questioning that you are putting to me is pertinent to what you as members of the committee are attempting to do. You know President Roosevelt—

Mr. MOULDER. May I interrupt by asking you what is your understanding of what the members of the committee are attempting to achieve or do?

Mrs. LUSHER. Excuse me.

(Witness confers with her counsel.)

Mrs. LUSHER. I do find you know in the Watkins decision—

Mr. MOULDER. You made some reference to it. May I interrupt you?

Mrs. LUSHER. Of course.

Mr. MOULDER. Seemingly, having reached the conclusion or an assumption as to what you think the committee is attempting to achieve or do.

Mrs. LUSHER. Yes.

Mr. MOULDER. I am asking you just what is your understanding in that respect.

Mrs. LUSHER. Well, of course, I really don't know everything about the committee, naturally, but I understood that Congress authorized the committee on a very broad basis and that the Supreme Court said

in the Watkins case that it was very hard to determine exactly what the committee was trying to do because it was so generalized. To attempt—I understand what the committee is supposed to do is to investigate so that it can pass legislation which will be desirable, you know, for the country. And this is where I feel that legislation which goes into the area of association and what people believe even if we don't agree with what the people believe can be dangerous legislation not only for the people who may have opinions which are dissident, but, you know, for everyone in the country, because it creates an atmosphere that is a very fearful one.

You know, when the early Christians were brought up before the Romans they believed in something which wasn't acceptable to society in those days.

Mr. MOULDER. I am sorry to interrupt you again, but do I understand you to say that it is your understanding that the purposes and objectives of the committee are to seek information so that we might be better informed in passing legislation or in reporting legislation for Congress to pass?

Mrs. LUSHER. Yes.

Mr. MOULDER. And that being so, in response to the question by Mr. Tavenner, our counsel, you challenged the question because you say it wasn't pertinent?

Mrs. LUSHER. Well, yes.

Mr. MOULDER. I do not understand your reasoning that—

Mrs. LUSHER. My feeling on it is that in the past—I cannot judge the committee entirely by what it does today, but, you know, by the whole past 20 years the committee has been in existence, that inquiry into this field, beliefs and associations, has not led to legislation which has been either good for our country or has been constitutional.

The CHAIRMAN. Many statutes have been enacted as a result of recommendations from this committee.

Mr. TAVENNER. Those that have been enacted into law are, I believe, about 38. Legislation has been offered and has been under consideration in the last Congress which has not been acted upon of about the same number.

The CHAIRMAN. Plus literally hundreds of administrative orders.

Mr. TAVENNER. Yes, many of the committee's recommendations have been adopted and put into the form of administrative orders in various agencies. I have in mind right now quite a number of them.

Mr. MOULDER. What was your last question, Mr. Tavenner?

Mr. TAVENNER. My question was whether or not this witness attended on March 19, 1955, the Fifth Annual Conference of the Los Angeles Committee for Protection of Foreign Born. She has not yet answered the question.

Mrs. LUSHER. Well, you see, this kind of a question in relation to what you asked me deals with the question of association, and it is my belief that—

Mr. MOULDER. He is asking you did you attend it and probably he will follow that by other questions concerning what knowledge you may have gained or obtained there which might deal directly with the question of legislation.

Mrs. LUSHER. Legislation which would accomplish what?

The CHAIRMAN. Make people aware of activities that are not in the best interests of the United States, make people aware that the peace organizations they joined were not interested in peace but merely in Russian domination, et cetera. That is the purpose of the question.

(Witness confers with her counsel.)

Mrs. LUSHER. Well, you see when you say "Were you there," and then in effect this kind of a question is really exposure of a person's activities just for the sake of exposure.

The CHAIRMAN. Not at all. We have another purpose in mind. Did you attend this meeting? I am not asking you about anyone else.

Mrs. LUSHER. You see the Supreme Court in the Watkins decision does say that exposure for the sake of exposure is wrong.

The CHAIRMAN. That is not what we are concerned with. We are not engaged in anything of the sort. Furthermore the Supreme Court didn't understand the question, and furthermore, I am not so sure they wanted to. You are entirely in error. Proceed.

Mr. TAVENNER. May I have a direction that the witness answer the question?

The CHAIRMAN. You are directed to answer the question.

Mrs. LUSHER. I am really sorry, I must decline to answer the question on the ground previously stated.

The CHAIRMAN. I am really sorry, too.

Mr. TAVENNER. Are you familiar with the California Peace Crusade?

Mrs. LUSHER. Mr. Tavenner, I think that this is the same kind of a question. I don't like to constantly repeat it.

Mr. TAVENNER. And the purpose of it is identically the same, to try to determine the extent to which the Communist Party is endeavoring to carry on activities of this kind and what its objectives are. Will you answer the question?

Mrs. LUSHER. But I do not really believe that the exposure of a person's activities in this fashion is right or constitutional and I must decline to answer on all the ground previously stated.

The CHAIRMAN. We are not endeavoring to expose your activities at all. We are asking you whether or not you have been connected with these things in order to ascertain whether or not you can probably give us answers to the questions that we would like to ask you.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question.

Mrs. LUSHER. I am sorry, I think I said I decline to answer the questions previously stated.

The CHAIRMAN. Are you on the board of The Defender?

Mrs. LUSHER. I am sorry, I must decline to answer on all the grounds I previously stated.

The CHAIRMAN. You see, that brings us right up to what we have been talking about. If you had told the truth about it or had at least admitted that you were on the board—and I have every reason to believe that you were—then we could ask you about The Defender and what its purposes were and things we would like to know about it in order to determine whether or not there ought to be legislation with respect to that kind of a publication.

Mr. McTERNAN. Mr. Chairman, excuse me a minute.

The CHAIRMAN. Surely.

(Witness confers with her counsel.)

Mrs. LUSHER. The organization that I have worked with for the last 3 years, I told you that I was executive secretary of, the Russian American Institute program I felt was in the best interests of the—

The CHAIRMAN. What about the magazine The Defender? That is what I was asking you about. Are you on the editorial staff of that magazine?

Mrs. LUSHER. I am sorry, I really—you know, I don't see the pertinency of the question and even though you have explained to me what you feel is the pertinency of it I feel that I also have to judge in my own heart what the pertinency of it is. And that this is my responsibility. I can't merely accept what you say as being the pertinency of it. I have to also try to judge it myself.

Mr. MOULDER. May I interrupt by asking, would you consider it pertinent for this committee to secure information on how some people operate in this country to undermine our Government and to overthrow it by force and violence or by revolution? Would you consider it pertinent for a person having information, say, about sabotage or treasonable acts against our country, would you consider it pertinent for us to have that information from the witness?

Mrs. LUSHER. Yes, sir; I certainly would.

Mr. MOULDER. You say you are employed by the Russian—

Mrs. LUSHER. I have been the executive secretary of the American Russian Institute.

Mr. MOULDER. American Russian Institute?

Mrs. LUSHER. Yes.

Mr. MOULDER. While in that position in the performance of your work and the course of your employment, have you come in contact with representatives of the Soviet Union Government?

Mrs. LUSHER. Yes; but before I answer that question I would like to answer your previous remarks. I personally do not believe in violence of any kind any place in our country or anywhere, and I would have no knowledge myself of any conspiracy to overthrow our Government by force or violence and would have no part in such a conspiracy.

My understanding of the Supreme Court ruling last year in the Smith Act cases was that the Supreme Court found no evidence of a conspiracy to overthrow the Government by force and violence—

Mr. MOULDER. The point I am coming to now, have you any knowledge or information concerning the efforts of any representative of the Soviet Union or of the Communists while in this country to influence or guide the course of the Communist Party in this country?

Mrs. LUSHER. Well—

Mr. MOULDER. I mean, do you have any personal knowledge of efforts by a foreign representative of the Soviet Union—

Mrs. LUSHER. No, I personally have no such knowledge or information.

Mr. MOULDER. Have you ever discussed the Communist Party activities in the country with any representative of the Soviet Union?

Mrs. LUSHER. The only area that I have ever discussed with the cultural representatives, the few that I have met in connection with my work with the institute, was strictly and entirely limited to the field of cultural exchange, entirely limited to that field.

Mr. MOULDER. Did you tell those persons who were discussing this subject that you were a member of the Communist Party over here or that you were not a member of the Communist Party in America?

Mrs. LUSHER. Well, that would never come up because I never discussed any question except the question of cultural exchange.

Mr. TAVENNER. She hasn't specifically answered your question.

Mr. McTERNAN. I submit that is answered, Mr. Chairman.

Mrs. LUSHER. I don't want to get—

The CHAIRMAN. Proceed, Mr. Tavenner.

Mr. TAVENNER. Have you discussed with the editorial committee of the Communist Party the workings or the activities of the American Russian Institute of which you are the executive secretary?

Mrs. LUSHER. Mr. Tavenner, I think that is a very loaded question and you know I have to decline to answer that on all the grounds that I have previously stated.

Mr. TAVENNER. Did you obtain the position of executive secretary as a result of any recommendation by any member of the Communist Party or any Communist Party unit?

Mrs. LUSHER. Mr. Tavenner, that is again, you know, the same kind of a loaded question.

Mr. TAVENNER. You refuse to answer?

Mrs. LUSHER. I have to refuse to answer it on all the grounds that I have previously stated. I told you very—

Mr. TAVENNER. You don't have to.

Mrs. LUSHER. Very honestly the program of the institute and its work in the field of cultural exchange, and you know I don't feel that you should ask these leading kinds of questions.

Mr. TAVENNER. Who preceded you as executive secretary of the Russian Institute?

Mrs. LUSHER. Mr. Tavenner, I can't give you any names about any individuals. I must decline.

Mr. TAVENNER. Was the person who preceded you a member of the Communist Party?

Mrs. LUSHER. Mr. Tavenner, you know this is exactly the same kind of a loaded question and I have to decline to answer it on all the grounds that I have previously stated.

Mr. TAVENNER. In other words, you will not tell this committee anything with regard to the workings of the Communist Party in this area. That is what you mean, plain and simple; isn't it?

(Witness confers with her counsel.)

Mr. MOULDER. May I suggest that Mr. Counselor interrogate the witness about the cultural exchange activities.

You mentioned one, that was the dancers.

Mrs. LUSHER. Yes.

Mr. MOULDER. What other?

Mrs. LUSHER. When Mr. Gilels was here.

Mr. TAVENNER. May I have an answer to my question first, Mr. Chairman?

Mrs. LUSHER. Of course, I decline to answer on all the grounds I previously stated.

When Mr. Gilels was here, we arranged a reception for him at Hollyhock House in Barnsdale Park and to which we invited many

of the leading musical people in the community. You see, while he was part of the cultural exchange program of the State Department, he was under the—he was being handled by a music impresario and the Civic Music Association was handling his concert tour. And they, of course, they are interested primarily in the concert itself and not in community activities around it.

The CHAIRMAN. What does this association have to do with the dancers?

Mrs. LUSHER. Well, this was about Mr. Gilels. On the Moiseyev Dancers, actually the only thing we did was to send out this letter. The Hollywood Bowl Association mailed it out, and it was, really, it was unnecessary actually because what it did was to recommend that people buy tickets and, of course, they were all sold out long in advance.

But when they came to Los Angeles, why, they were really lionized around the society people around the Hollywood Bowl.

The CHAIRMAN. What did your association have to do with it?

Mrs. LUSHER. We didn't have anything to do.

The CHAIRMAN. What about the musicians?

Mrs. LUSHER. On the Moiseyev, we did send out this mailing piece, this letter. With Mr. Gilels we arranged a reception for him to meet the musical—

The CHAIRMAN. He was coming here and you used that occasion for a reception and invited him to come to a reception and invited these other people to come and meet him?

Mrs. LUSHER. That is right.

The CHAIRMAN. What else does your organization do?

Mrs. LUSHER. When Mr. Kogan, the violinist, came also this spring, we arranged for him to visit one of the campuses, but unfortunately he had to fly back for a recording.

You see, there is no governmental organization, unfortunately—I wish there were—that was functioning in the field of arranging these kinds of social engagements for these artists. I hope that there will be actually.

The CHAIRMAN. What else do you inject yourself into?

Mrs. LUSHER. Well, when the architect, when the housing delegation came from the Home Builders Institute, we had a reception there at the Ambassador Hotel.

The CHAIRMAN. They weren't even aware of your existence when they came? They came as representatives of their Government to inspect activities of the U.S. Government?

Mrs. LUSHER. That is right. No, they came to visit housing. We did arrange a reception for them to meet with some of the architects in the city.

The CHAIRMAN. After you learned that they were coming, you got hold of the architects and arranged to have them meet the housing delegation at a reception?

Mrs. LUSHER. This is generally what we have done. We arranged for the cellist to meet musicians primarily and also to visit the UCLA campus. Naturally, they can't arrange these things themselves because it wouldn't be polite to go around inviting yourself to places. So it is helpful to them to have somebody arrange it for them. If our Government had a cultural exchange organization which I per-

sonally think would be a very fine idea to expand the State Department.

Mr. MOULDER. What exchange on the American side have you promoted to go over to the Soviet Union?

Mrs. LUSHER. I have had one really good idea. It didn't work out. We tried a variety of things. One I was very interested in. You know, California has a big fashion industry, and I thought when they had these fashion shows in the Soviet that it would be very good business for us and also good publicity, because the British did that and they sent a British fashion show.

I talked to a number of the fashion manufacturers around Los Angeles about the idea of arranging a group of maybe even American models to go and show fashions.

Mr. MOULDER. Actually, have you succeeded in any exchange from this side?

Mrs. LUSHER. No, we haven't.

The CHAIRMAN. Do you receive a salary for your work?

Mrs. LUSHER. No, I don't.

The CHAIRMAN. Are contributions made to your organization to maintain it?

Mrs. LUSHER. Well, yes, of course. I can't tell you the names of the people who give us money, but that was how we were financed, from people who were interested in the work of the program.

The CHAIRMAN. Do you file any expense account?

Mrs. LUSHER. In what way?

The CHAIRMAN. Accounting for the funds received by way of donations?

Mrs. LUSHER. I have made financial reports of the little bit there was.

The CHAIRMAN. Where do you file the report?

Mrs. LUSHER. Well, you know we give reports to our board.

The CHAIRMAN. Who is on the board?

Mrs. LUSHER. Well, I am sorry, but I can't give you the names of any of the people associated with me. I have to decline on all the grounds previously stated.

Mr. MOULDER. Where is this located, this headquarters?

Mrs. LUSHER. We were, as I said, over on Western near Santa Monica. We had a library that was open, the people could borrow books. But we weren't able to finance it and we have closed it and we stored the books, and actually we are not really—we don't have an office. I just use my home as an address.

Mr. MOULDER. Proceed.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. LUSHER. I am sorry, Mr. Tavenner, I have to decline to answer that on all the grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Mr. McTERNAN. Mr. Chairman, we do not intend to make any statements to the press. We assume that since this is an executive session, the contents will not be released.

The CHAIRMAN. Did you issue a statement before you came?

Mr. McTERNAN. No.

The CHAIRMAN. That is a new device, issue a statement and say, "I won't talk." I want to apologize to you for being late, but this traffic of yours is pretty bad.

Mr. McTERNAN. It is; it is a real problem. That is a good area for legislative hearings to solve.

The CHAIRMAN. It is not the responsibility of the Federal Government.

Mr. McTERNAN. Thank you very much. It was a pleasure talking to you.

The CHAIRMAN. Will you raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ZWOLINSKI. I do.

**TESTIMONY OF REVA MUCHA ZWOLINSKI, ACCOMPANIED BY
COUNSEL, JOHN T. McTERNAN**

Mr. TAVENNER. What is your name, please?

Mrs. ZWOLINSKI. Reva Mucha Zwolinski.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. Yes; John T. McTernan, with the firm of Margolis, McTernan & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Were you born on November 10, 1905, in Odessa, Russia?

Mrs. ZWOLINSKI. No.

Mr. TAVENNER. When and where were you born?

Mrs. ZWOLINSKI. I don't believe that that question is actually pertinent to the questioning this afternoon, sir.

Mr. TAVENNER. May I have a direction that the witness answer the question as to where she was born?

The CHAIRMAN. You are directed to answer the question of where you were born.

Mrs. ZWOLINSKI. I was born on November 10, 1904, in Russia, but not in the town that the counsel gave.

Mr. TAVENNER. What is the correct description of the town?

Mrs. ZWOLINSKI. I believe you spell it K-h-e-r-s-o-n.

Mr. TAVENNER. When did you come to the United States?

Mrs. ZWOLINSKI. Well, let me see. I believe that was in 1912 or 1913, I am not too sure of the actual year.

Mr. TAVENNER. Are you a naturalized citizen of the United States?

Mrs. ZWOLINSKI. I am a citizen of the United States.

Mr. TAVENNER. Are you naturalized by virtue of derivative citizenship?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. From your father?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. What is your father's name?

Mrs. ZWOLINSKI. Peter.

Mr. TAVENNER. And the last name?

Mrs. ZWOLINSKI. Mucha.

Mr. TAVENNER. Where did you reside when you first came to this country?

Mrs. ZWOLINSKI. New York City, I believe.

Mr. TAVENNER. When did you move to California?

Mrs. ZWOLINSKI. 1948.

Mr. TAVENNER. Where do you live in California?

Mrs. ZWOLINSKI. 5436 Lemon Grove Avenue, Hollywood.

Mr. TAVENNER. What is your occupation?

Mrs. ZWOLINSKI. I am a housewife.

Mr. TAVENNER. Have you held a position of an executive character in any organization?

Mrs. ZWOLINSKI. Yes, from time to time.

Mr. TAVENNER. Let me ask you this: Were you the executive secretary of the American Russian Institute?

Mrs. ZWOLINSKI. Yes.

Mr. TAVENNER. Over what period of time?

Mrs. ZWOLINSKI. Well, on and off between the periods of, I believe, 1948 to about 1954, or thereabouts. On and off during that period.

Mr. TAVENNER. Were you a member of the Communist Party at any time during that period?

Mrs. ZWOLINSKI. I decline to answer that question.

Mr. MOULDER. May I ask a question?

Mrs. ZWOLINSKI. I decline to answer that question.

Mr. MOULDER. Yes, I understand. How were you selected as secretary?

Mrs. ZWOLINSKI. Selected?

Mr. MOULDER. How is the secretary of this organization selected? Who makes the selection?

Mrs. ZWOLINSKI. I don't understand the question.

Mr. MOULDER. Of the American Russian Institute. Who determines who shall be employed or designated as secretary?

Mrs. ZWOLINSKI. Well, I still don't understand the question. What do you mean, "designated"? It is a job, like any other job.

The CHAIRMAN. How did you become secretary?

Mrs. ZWOLINSKI. I became a secretary because there was an opening in the institute, and I remember that I came to Los Angeles and I suppose a friend or two suggested that I might seek employment in that area, since I felt I was qualified.

Mr. MOULDER. My point is, who has the authority to make that selection?

Mr. ZWOLINSKI. I am sure I wouldn't know what you mean. The question is not very clear. I really don't understand the question.

The CHAIRMAN. When you became secretary, who told you, you were secretary?

Mrs. ZWOLINSKI. You mean in the institute, who determined it?

The CHAIRMAN. Yes.

Mrs. ZWOLINSKI. I was interviewed by a board of directors, I presume they were.

The CHAIRMAN. How much of a salary did you receive?

Mrs. ZWOLINSKI. Well, I believe, I think it started at about \$60 a week. It was some time ago, sir; it is a little too difficult to remember exactly.

Mr. MOULDER. Who interviewed you? You say there was a board?

Mrs. ZWOLINSKI. A number of people.

Mr. MOULDER. How many were on the board?

Mrs. ZWOLINSKI. It is awfully hard for me to remember.

The CHAIRMAN. To the best of your recollection.

Mrs. ZWOLINSKI. Six or eight people, I imagine, something like that.

Mr. MOULDER. Who were they?

Mrs. ZWOLINSKI. I will have to decline to answer that question, sir, because I don't believe you have any right to ask me with whom I associate or people that I have known or groups of people that I have associated with. And so I am going to use the first amendment of the Constitution that protects me from that kind of inquiry, and I will also use the privilege and the protection against your asking me questions against my will which is given me under the fifth amendment.

The CHAIRMAN. And you decline to answer for those reasons?

Mrs. ZWOLINSKI. On the first and on the fifth amendments, yes.

Mr. TAVENNER. Did you, during the period that you were the executive secretary of the American Russian Institute, from time to time meet with Communist Party groups to discuss the activities of the American Russian Institute?

Mrs. ZWOLINSKI. This is very generally the same kind of question that I was asked before, and I will answer it in the same way, declining to on the grounds previously stated.

Mr. TAVENNER. Do you recall an incident that occurred on May 18, 1952, at the time that the American Russian Institute had a booth at the All Nations Festival in Sportsmans Park, 9835 South Western Avenue, Los Angeles?

Mrs. ZWOLINSKI. Yes, sir; I remember that occasion very well.

Mr. TAVENNER. I believe part of the program of the institute included the placing of the Soviet flag.

Mrs. ZWOLINSKI. No, sir; that is incorrect.

Mr. TAVENNER. What occurred then?

Mrs. ZWOLINSKI. The Chamber of Commerce arranged booths of all the nations which were invited to participate in World Trade Week. We were given a map—I believe you would call it a map—outlining each one of the booths; and when I asked which one would be ours, the young woman who spoke to me on the phone and who had written us of course regarding that occasion, said that it would be such-and-such a number and it would have the flag of the country there. We found it there, and it remained there when we left.

The CHAIRMAN. Is there a free port here in Los Angeles?

Mrs. ZWOLINSKI. A free port? No, sir.

Mr. McTERNAN. You mean for the importation of articles?

The CHAIRMAN. Yes.

Mr. McTERNAN. I think not.

Mr. TAVENNER. I desire to offer in evidence a thermofax copy of the May 19, 1952, issue of the Los Angeles Examiner and ask that it be marked "Zwolinski Exhibit No. 1."

(Document marked "Zwolinski Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. This article describes the occasion that you referred to in this way:

Inate citizens yesterday broke up an attempt by Communist elements to infiltrate the start of Los Angeles' annual World Trade Week observances with Red propaganda.

Their protests were leveled against a Russian booth at the All Nations Festival in Sportsman's Park, 9835 South Western Avenue, the opening event of week-long World Trade activities here.

Decorated by a red flag with hammer and sickle, the booth operated for nearly 2 hours under the sponsorship of the American Russian Institute which was cited as subversive and Communist by Attorney General Tom Clark in 1949.

Displayed for public view under the direction of Reva Mucha, executive secretary of the Institute, were scores of pictures and pamphlets acclaiming life under Communism.

Do I understand you disagree with that account of the occurrence?

Mrs. ZWOLINSKI. I definitely disagree, because I think that a true picture would have been gotten from the director of the park and from the Chamber of Commerce, rather than from the newspapers. And that is an official record.

Mr. TAVENNER. The institute has been cited, has it not, as Communist by Attorney General Tom Clark?

Mrs. ZWOLINSKI. Well, there has been such a long list that I, frankly, am not particularly impressed one way or another.

Mr. TAVENNER. You were aware of that fact in 1952, were you not?

Mrs. ZWOLINSKI. I was aware of a great big, long list of all kinds of organizations.

Mr. TAVENNER. I say you were aware of that fact?

Mrs. ZWOLINSKI. Yes, I was.

Mr. TAVENNER. You were also aware that it was cited as a Communist-controlled organization which was intimately linked with the Institute of Pacific Relations according to the Senate Judiciary Committee report of July 2, 1952, were you not?

Mrs. ZWOLINSKI. Frankly, I don't remember all of the mention regarding that, but I do admit that I knew it was cited. I imagine that is sufficient.

Mr. TAVENNER. It was for the benefit of the record. I will also state that it was cited as specializing in pro-Soviet propaganda by the Internal Security Subcommittee of the Senate Judiciary Committee, "Handbook for Americans," April 23, 1956.

Mr. MOULDER. While you were secretary of this organization that you have described, what were your duties?

Mrs. ZWOLINSKI. Well, the purpose of the American Russian Institute and the functions was a research and lending library, and I was in charge. It was used primarily by universities and studios during my period of association with it. And it was a question of cataloging the material that came into the library both in the Russian and in the English.

The CHAIRMAN. Where did the material come from?

Mrs. ZWOLINSKI. From VOKS. That is the U.S.S.R. society for cultural exchange with foreign countries. This was a formal department for such a purpose, and the material came through the mails, through the U.S. mails, directly from the Soviet Union, and placed on the shelves for the public. We serviced anybody that needed material, whether they were translations or whether they just needed the research material. We had film and we had pictures and books. There was a very wonderful children's art exhibit that came, and we exhibited it at the University of Southern California. It was a particularly interesting one.

Of course, the films were very valuable, and we very often had overflow audiences to see these things. Of course, knowing that the State

Department in January of this year signed a cultural exchange agreement, it is very gratifying to know that the very purposes for which the institute had been established these many years is the policy of our State Department.

The CHAIRMAN. Did they ever send you the film of all those slave labor camps in Russia that the American Federation of Labor has cataloged?

Mrs. ZWOLINSKI. Not only that they did, but the American Federation of Labor did not either, so there must be a paucity of those films.

The CHAIRMAN. Go ahead.

Mr. MOULDER. Did you receive any material from any source other than that which you have mentioned, reading material?

Mr. ZWOLINSKI. On occasion, naturally, people would donate books to the library. They do that.

Mr. MOULDER. Did you receive and distribute any Communist Party literature?

Mrs. ZWOLINSKI. I am not aware of the Communist Party having any literature on the Soviet Union, certainly not as far as the institute was concerned.

Mr. MOULDER. Did you disseminate and distribute any Communist Party literature published in the country?

Mrs. ZWOLINSKI. Well, what would that have to do with material on the Soviet Union? I don't quite get the connection.

Mr. TAVENNER. Make her answer the question.

Mr. MOULDER. The question is very simple, whether or not you or anyone else connected with this organization referred to as the American Russian Institute distributed any Communist Party literature regardless of where it came from.

Mrs. ZWOLINSKI. Not to my knowledge. You mean issued by the Communist Party?

Mr. MOULDER. Or dealing with the Communist Party.

Mrs. ZWOLINSKI. Dealing with the Communist Party as such?

Mr. MOULDER. And its objectives.

Mrs. ZWOLINSKI. Not that I am aware of, no.

Mr. TAVENNER. Did the institute engage in the holding of public forums?

Mrs. ZWOLINSKI. What do you mean by forums, sir?

Mr. MOULDER. Panels for discussion of various topics.

Mrs. ZWOLINSKI. No, I wouldn't say forums. We had lectures, which is different, I would say. We would have speakers on various subjects, but there wouldn't be a forum.

Mr. MOULDER. Speakers on the subject of the Soviet Union?

Mrs. ZWOLINSKI. On various phases of the Soviet Union, yes—specific things.

Mr. MOULDER. Did any member of the Communist Party or any Communist Party unit confer in the selection of the speakers on such occasions?

Mrs. ZWOLINSKI. No.

Mr. MOULDER. Any of them?

Mrs. ZWOLINSKI. No. You are talking about conferring with me, aren't you?

Mr. MOULDER. Yes.

Mrs. ZWOLINSKI. Well, the answer is no, of course. I wanted to make sure.

Mr. MOULDER. Who selected the speakers for these occasions?

Mrs. ZWOLINSKI. Well, I am afraid that possibly I am responsible for most of them during the period that I was in the position that I was in.

Mr. MOULDER. And whom did you invite to attend?

Mrs. ZWOLINSKI. It depended on what the subjects were. We tried to get as clearly an expert within the limits of what one is able to get without importing.

Mr. MOULDER. Did you pay some of them? Would you name some of them?

Mrs. ZWOLINSKI. I would decline for the previous reasons mentioned. I don't want to take any extra time of the committee, but the reasons that I mentioned before, particularly a question involving any people in any way which the results of hearings of this kind have done before, I would have to decline on previous grounds.

Mr. MOULDER. While you were there, did any person lecture or address a meeting who was not a member of the Communist Party?

Mrs. ZWOLINSKI. That is really the same question. I am afraid I will have to give the same answer.

Mr. TAVENNER. I assume then that you selected Mrs. Elizabeth Moos as one of the speakers as indicated by this copy of a notice from the American Russian Institute. Will you examine it, please?

Mrs. ZWOLINSKI. I am sorry, I will have to decline to answer that question on the same grounds that I have given before, regarding any names of any people associated.

Mr. TAVENNER. Even any speaker who appeared on your program?

Mrs. ZWOLINSKI. I think so.

Mr. TAVENNER. Is that because to do so might tend to incriminate you?

Mrs. ZWOLINSKI. The question that you posed, of course, is one of my reasons naturally. And of course there is another reason, that I don't want to hurt anyone and they might very well be hurt by being included as admitted by me in this hearing.

Mr. TAVENNER. Mrs. Elizabeth Moos is the mother of William Remington, and there has been considerable testimony before our committee as to her and the activity that she carried on for the Communist Party in New York City in connection with the Peace Crusade. So there is nothing secret about Elizabeth Moos. Will that change your answer?

Mrs. ZWOLINSKI. No, sir.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Zwolinski Exhibit No. 2."

(Document marked "Zwolinski Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. I hand you another such program and ask you if it doesn't show Cyril Towbin as conducting a program on September 21, 1947, and ask if you selected that.

Mrs. ZWOLINSKI. Naturally the document speaks for itself, but of course if you will observe, sir, this is before my time.

Mr. TAVENNER. Yes; it is 1947. That is right, and you began in 1948.

Mrs. ZWOLINSKI. That is right.

Mr. TAVENNER. Do you know that Cyril Towbin is an identified member of the Communist Party? Do you know that?

Mrs. ZWOLINSKI. No, sir; I do not.

Mr. TAVENNER. He has appeared as a witness before this committee, though he did not admit membership.

You withdrew or resigned from the position of executive secretary in April 1955; did you not?

Mrs. ZWOLINSKI. As I said, sir, I was with the institute on and off during the period that I had mentioned. I frankly don't remember the exact dates of when there were periods that ended, you know.

Mr. TAVENNER. Since that period of time, since the period of time that you formally withdrew, have you been engaged in mass activities for the Communist Party? I meant to say in activities in mass organizations for the Communist Party in Los Angeles.

Mrs. ZWOLINSKI. This is pretty much in line with the other questions that I declined to answer, and I will so decline now for the same ground that I stated before.

Mr. TAVENNER. Are you a member of the District Council of the Communist Party—

Mrs. ZWOLINSKI. Same question.

Mr. TAVENNER. For the Southern District of California at this time?

Mrs. ZWOLINSKI. Same question, same answer.

Mr. MOULDER. You say when you first started working you received a salary, as you recall, of approximately \$60 a week?

Mrs. ZWOLINSKI. I believe so.

Mr. MOULDER. When your employment was terminated or whenever you ceased or resigned, were you still drawing that amount of salary?

Mrs. ZWOLINSKI. Well, it wasn't more, I assure you. There might have been a period in between when there may have been a little higher salary; I don't recall too clearly.

Mr. MOULDER. Have you been associated with this organization known as the American Russian Institute since you quit working there?

Mrs. ZWOLINSKI. No, I have not, sir.

Mr. MOULDER. Do you know whether or not they still pay the salary that you received?

Mrs. ZWOLINSKI. I haven't any idea of the present status of the Russian Institute.

Mr. MOULDER. The record here, according to the testimony that we show, is that the person now employed as secretary doesn't receive any salary.

Mrs. ZWOLINSKI. It is altogether possible. I said it is altogether possible, because funds were never too plentiful.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you stand up and raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PAPE. I do.

**TESTIMONY OF LEON PAPE, ACCOMPANIED BY COUNSEL,
HUGH R. MANES**

Mr. TAVENNER. Will you state your name, please, sir?

Mr. PAPE. Leon Pape.

Mr. TAVENNER. Will you spell your last name?

Mr. PAPE. P-a-p-e.

Mr. TAVENNER. Is there any abbreviation or a nickname by which you are also known, that is, abbreviation of your first name?

Mr. PAPE. Not that I am aware of.

The CHAIRMAN. P-a-p-e?

Mr. PAPE. Like paper without an r.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANES. Hugh R. Manes, Los Angeles.

Mr. TAVENNER. Member of the California Bar?

Mr. MANES. Yes, sir.

Mr. TAVENNER. When and where were you born, Mr. Pape?

Mr. PAPE. I was born in the city of New York on February 8, 1925.

Mr. TAVENNER. Where do you now reside?

Mr. PAPE. In Monterey Park, Calif.

Mr. TAVENNER. How long have you lived in California?

Mr. PAPE. It will be, in years, 9 years this month.

Mr. TAVENNER. Have you lived continuously in California during that 9-year period?

Mr. PAPE. Yes, I have.

Mr. TAVENNER. Were you in the Armed Forces of the United States?

Mr. PAPE. Yes, I was.

Mr. TAVENNER. Over what period of time did you serve?

Mr. PAPE. I was sworn into the services in 1942, December, and served until March 1946.

Mr. TAVENNER. In what branch of the service were you?

Mr. PAPE. U.S. Coast Guard.

Mr. TAVENNER. What is your occupation?

Mr. PAPE. I am a medical physicist.

Mr. TAVENNER. Doctor Pape?

Mr. PAPE. No, I do not have a doctorate. I have a master's degree.

Mr. TAVENNER. Will you give us briefly a statement of your formal educational training?

Mr. PAPE. Yes. I graduated Brooklyn Technical High School, served in the Coast Guard. Upon discharge went to Brooklyn College in New York City, graduated from there and then went to graduate school at the University of Southern California.

Mr. TAVENNER. In what field did you specialize?

Mr. PAPE. Physics.

Mr. TAVENNER. What degree do you hold?

Mr. PAPE. A master of science in physics.

Mr. TAVENNER. A master of science?

Mr. PAPE. Yes, sir.

Mr. TAVENNER. When did you obtain that degree?

Mr. PAPE. 1953.

Mr. TAVENNER. What has been your record of employment since that time?

Mr. PAPE. From 1953 till 1955 I worked as a toolmaker and then in 1955 obtained employment in my field as it is presently.

Mr. TAVENNER. What year?

Mr. PAPE. 1955.

Mr. TAVENNER. As a toolmaker?

Mr. PAPE. Until then, yes.

Mr. TAVENNER. Until 1955 as a toolmaker, I beg your pardon. And since that time your employment has been what?

Mr. PAPE. As a medical physicist.

Mr. TAVENNER. What are your duties as a medical physicist?

Mr. PAPE. I work in the department of radiology in the hospital, where I am responsible for the physics associated with the use of radioactive materials and radiation in diagnosing and treating conditions.

Mr. TAVENNER. Mr. Pape, are you at the present time a member of the Communist Party?

Mr. PAPE. Mr. Counsel, I would like to indicate that I feel that the mandate of the committee, as I have understood from the literature given me from the subpoena, is such that I cannot find ground for the pertinency of the question that you ask me. I would like to further indicate that I feel that the mandate of the committee is so vague so that it is difficult for me to determine whether I am responsible to answer.

I would like, too, in view of these considerations plus the fact that the question that you asked me, I would humbly submit, is a question which requests information concerning my political beliefs and associations, which I feel are private information which I am not compelled to disclose based on constitutional guarantees. On that basis I will decline to answer that question.

Mr. TAVENNER. Let me make this explanation of pertinency to you. Dorothy Healey, the chairman of the Communist Party for the Southern District of California and a member of the National Committee of the Communist Party, made a report to a convention of the district in Los Angeles in April of 1957, at which time she boasted of the leadership that her group of the Communist Party had given and supplied in connection with the H-bomb.

It is the information of this committee that you have been utilized by going around to churches and other places and engaging in a discussion, in one instance at least, under the title of "Doctor of the Scientific Phases of Radiation From the Use of the H-Bomb," and in opposition to the policy, present policy of this Government with regard to it. It is certainly vital to this investigation to understand to what extent the Communist Party here is succeeding in the boast and claim of Dorothy Healey as chairman.

The question asked you "whether you are a member of the Communist Party," will be followed with questions as I have indicated. So I think you see the pertinency of the question from that explanation, do you not?

(Witness confers with his counsel.)

Mr. PAPE. I would like to indicate that I feel that the question still is not pertinent to any, as I can understand, lawful and legal

procedure of a legislative committee. I would like to further again reiterate that I believe that the mandate is so vague that I am still not able to determine my responsibility in this case.

Mr. TAVENNER. May I have a direction that the witness answer?

The CHAIRMAN. You are directed to answer the question.

(Witness confers with his counsel.)

Mr. PAPE. I would still like to decline to answer on the grounds given and further on the fact that the question serves no purpose in the legal mandate and purposes of a legislative committee and that because this in effect questions my political associations and beliefs about which Congress cannot legislate and therefore the committee has no right as I understand it as an arm of Congress for the purpose of legislation.

The CHAIRMAN. And do you decline to answer the question?

Mr. PAPE. I decline to answer the question.

Mr. TAVENNER. Are you part of the leadership of the Communist Party which Dorothy Healey said she had furnished in the fight against the H-bomb in this area?

Mr. PAPE. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Are you a member of a professional group of the Communist Party, including for the most part scientists?

Mr. PAPE. Same answer.

Mr. TAVENNER. How many public appearances have you made in Los Angeles in the fight against the H-bomb?

(Witness confers with the counsel.)

Mr. PAPE. I am not at this point able to say with accuracy in how many instances I have spoken on the question of radiation.

Mr. TAVENNER. I hand you an advertisement bearing date of June 7, 1957, of an important meeting about H-bomb tests to be held at the First Baptist Church in Los Angeles, and I see that one of the speakers is listed as Leon Pape, Ph.D., Federation of American Scientists. You have already stated that you do not have a Ph.D. Are you a member of the Federation of American Scientists?

(Witness confers with counsel.)

Mr. PAPE. I would decline to answer that on the basis of the reasons previously given.

Mr. TAVENNER. You do not mean to contend, do you, seriously that being a member of the Federation of American Scientists could possibly tend to incriminate you?

Mr. PAPE. If I may indicate to you why I made that statement—

Mr. TAVENNER. No, I want to test your good faith in refusing to answer that question on the grounds, among others, of the fifth amendment. That is all I am doing. I want to see if you seriously contend that being a member of that organization could in any way tend to incriminate you.

Mr. PAPE. I haven't stated that I am relying on the fifth amendment.

Mr. TAVENNER. You have not?

Mr. PAPE. No, I haven't on the self-incrimination clause.

Mr. TAVENNER. Very well. Then I think you should state it again, because I do not understand what your objection is.

Mr. PAPE. My objection is that the question requires me to answer questions concerning my associations and on the grounds that I have

previously stated, it is my understanding that the Constitution allows me my associations as a private matter about which Congress cannot legislate. Since this committee is ostensibly inquiring for the purposes of legislation, I can't understand the pertinency, and, therefore, I decline to participate in that.

Mr. TAVENNER. Mr. Chairman, I ask you to direct the witness to answer.

The CHAIRMAN. You are directed to answer the question.

(Witness confers with counsel.)

Mr. PAPE. I would like to reiterate that I find that the mandate of the committee is so vague as to raise the question as to the pertinency of this question with respect to a valid legislative purpose. I further decline because the mandate does not give me the necessary grounds by virtue of vagueness to understand and to accept a responsibility to answer. And further because the question violates my right to the privacy of my associations as guaranteed by the first amendment of the Constitution.

Furthermore, while I am not claiming the self-incrimination clause of the fifth amendment, I do want to use the due process that is afforded me.

Mr. TAVENNER. Let me put the question to you this way. Have you represented yourself as a member of the Federation of American Scientists?

Mr. PAPE. I would decline to answer that on the grounds previously stated.

Mr. TAVENNER. Have you been guilty of deception of the audiences before which you have appeared in claiming that you were a member of the Federation of American Scientists?

Mr. PAPE. I would decline on the grounds previously stated and because it requires me to draw a conclusion which I do not feel is a proper—

Mr. TAVENNER. A conclusion?

Mr. PAPE. Yes, sir.

Mr. TAVENNER. Well, I don't think that could possibly be a proper expression of what has occurred. If you are guilty of deception, it is not a conclusion; you know it. It is a fact or it isn't a fact. It is not a question of conclusion.

The CHAIRMAN. What representations were made?

Mr. TAVENNER. I offer in evidence, Mr. Chairman, the advertisement that I have referred to earlier in his testimony entitled "An Important Meeting about H-Bomb Tests, Hear Leon Pape, Ph.D., Federation of American Scientists, Friday, June 7, 1957," and ask that it be marked "Leon Pape Exhibit No. 1."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Leon Pape Exhibit No. 1" and retained in committee files.)

The CHAIRMAN. What is this Federation of American Scientists?

(Witness confers with counsel.)

Mr. PAPE. I would decline to answer on the basis of the reasons previously given.

Mr. TAVENNER. I also offer in evidence and ask that it be marked "Pape Exhibit No. 2," a thermofax copy of an article appearing in the June 8, 1957, issue of the People's World entitled "New protests

prelude to bomb ban meet." In the last paragraph I find this statement which I will read if it is accepted in evidence.

The CHAIRMAN. It is accepted.

(Document marked "Leon Pape Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER (reading):

Scheduled to speak at the Friends' meeting were E. Raymond Wilson, national executive secretary of the Friends Committee on Legislation, and Dr. Leon Pape of the Federation of American Scientists.

Did you, as early as 1957, give information which resulted in the listing of your name as that of a doctor and as a member of the Federation of American Scientists?

Mr. PAPE. To the best of my recollection, since I have no right to use the term "doctor," I have never given my name as a doctor or the title as a doctor to anybody.

Mr. TAVENNER. Did you give it as a member of the Federation of American Scientists?

Mr. PAPE. I would like to decline to answer on the grounds previously stated.

The CHAIRMAN. Do you mean to contend that if you admitted you were a member of this association you might be subjected to a criminal prosecution?

Mr. PAPE. No, I don't mean to contend this. I am not in any way ashamed of any of my actions.

The CHAIRMAN. Are you a member of this organization?

Mr. PAPE. But I feel that the question as to membership in organizations properly is one that I reserve for myself to decide whether or not to disclose.

The CHAIRMAN. Are you a member of this organization?

Mr. PAPE. I will decline to answer that question as previously indicated.

Mr. TAVENNER. Did you appear at the Baptist Church for the purpose of making the address advertised in the exhibit that I introduced, exhibit No. 1?

Mr. PAPE. I would decline to answer that question on the same grounds.

Mr. TAVENNER. Did you speak at the meeting referred to in exhibit No. 2?

Mr. PAPE. May I see the exhibit?

The CHAIRMAN. Yes, sir.

(Exhibit handed to witness.)

Mr. TAVENNER. The last paragraph refers to you as being scheduled as a speaker on that occasion.

Mr. PAPE. Would you please restate the question for me again?

Mr. TAVENNER. Did you participate as scheduled as a speaker on that occasion?

Mr. MOULDER. What occasion was it?

Mr. TAVENNER. The occasion announced on June 8, 1957, as "New protests prelude to bomb ban meet." As to the exact date of the appearance which he was to make, I am not certain.

Mr. PAPE. I would decline to answer that on the grounds previously stated, and because I believe the committee has no right to inquire into my beliefs or the circumstances under which I express them.

Mr. TAVENNER. In the various appearances that you said you made but you could not recall how many on this subject, did you explain to your audiences that you were a member of the Communist Party?

(Witness confers with his counsel.)

Mr. PAPE. I decline to answer on previous grounds.

Mr. TAVENNER. Will you tell the committee, please, whether or not you were counseled regarding your appearances, public appearances on this subject, by units of the Communist Party or functionaries of the Communist Party?

Mr. PAPE. I must decline to answer that on the same grounds that I previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. PAPE. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party on June 8, 1957?

Mr. PAPE. Same answer, Mr. Counsel.

Mr. TAVENNER. Were you a member of the Communist Party June 7, 1957?

Mr. PAPE. The same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. MANES. May I request of the committee that the name and the testimony of the witness not be disclosed?

The CHAIRMAN. The testimony won't be disclosed, I will assure you that, because the young lady will not have it transcribed until she gets back to Washington.

Mr. MANES. May we also have the assurance that the name will not be disclosed?

The CHAIRMAN. As far as we are concerned, we will not disclose it.

Mr. PAPE. Thank you very much.

The CHAIRMAN. Do you swear that the testimony you are about to give will be the truth, the whole, truth, and nothing but the truth, so help you God?

Mrs. PAPE. I do.

TESTIMONY OF EDITH WEINER PAPE, ACCOMPANIED BY COUNSEL, HUGH R. MANES

Mr. TAVENNER. Will you state your name, please?

Mrs. PAPE. Edith Weiner Pape.

Mr. TAVENNER. Will you spell your name, please?

Mrs. PAPE. The entire name, sir?

Mr. TAVENNER. The middle name and last name.

Mrs. PAPE. W-e-i-n-e-r P-a-p-e.

Mr. TAVENNER. Where do you reside?

Mrs. PAPE. 1190 Branhan Street, Monterey Park.

Mr. TAVENNER. Please state the place and date of your birth.

Mrs. PAPE. I was born in New York City on April 6, 1924.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANES. Hugh R. Manes, Los Angeles, member of the California bar.

Mr. TAVENNER. Was Weiner your maiden name?

Mrs. PAPE. Yes, it was.

Mr. TAVENNER. What is your profession?

Mrs. PAPE. I am a housewife.

Mr. TAVENNER. Our investigation discloses that you were at one time a WAC.

Mrs. PAPE. Yes, I was.

Mr. TAVENNER. When was that?

Mrs. PAPE. I served during the years 1945 to 1947 to the best of my recollection.

Mr. TAVENNER. Are you now in the service?

Mrs. PAPE. No, I am not.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. PAPE. As my permanent residence?

Mr. TAVENNER. Yes.

Mrs. PAPE. Well, I don't know whether you would consider my Army service as part of my permanent residency. I have lived here since my marriage, the greater part of the permanent part of my residency I would say since 1949, I believe.

Mr. TAVENNER. Will you state your educational training, please, your formal educational training?

Mrs. PAPE. I attended the public schools in New York City. I attended, and received the bachelor of arts degree from, Hunter College in New York City. I attended the University of Southern California in graduate study.

Mr. TAVENNER. Are you a member of the Communist Party in Los Angeles?

Mrs. PAPE. On the ground that this committee by its mandate is not legally in a position to ask me a question of this nature that would refer to associations, on the ground that the first amendment specifically prohibits legislation in this area, and also on the fact that the mandate is so vague that it does not afford me a simple standard by which I may determine whether I am under a duty to answer this question, and further, since I am not, I cannot determine the pertinency of this question as related to the mandate as it is stated, I must decline to answer the question.

(Witness confers with counsel.)

Mrs. PAPE. I would like to add also that I feel this question is impertinent to the investigation as I understand it.

Mr. TAVENNER. Where did you reside in May of 1945?

Mrs. PAPE. May of 1945? I believe that was the month that I enlisted in the Woman's Army Corps. I believe, to the best of my recollection, my residence was on Bostwick Street in Los Angeles.

Mr. TAVENNER. 3807?

Mrs. PAPE. That sounds familiar, but I am not exactly sure.

Mr. TAVENNER. At that time, were you a member of the City Terrace Club of the Communist Political Association?

Mrs. PAPE. I must decline to answer that question on the same grounds as previously stated. I cannot understand the pertinency of this question, and I feel that it is outside the province of this committee to ask a question of this nature regarding associations, since Congress cannot legislate in this area.

Mr. TAVENNER. At a meeting——

Mrs. PAPE. And all the grounds previously stated.

Mr. TAVENNER. At a meeting of the Communist Party for the Southern District of California on April 13 and 14, 1957, Dorothy Healey made a very extensive report regarding the duties of the members of the Communist Party and what constitutes the Communist Party line as handed down by the National Committee of the Communist Party. She reported that one of the most serious duties of a member of the Communist Party was to work in mass organization.

We desire to understand and to learn all we can about the present purposes of the Communist Party in that field, the extent of this work in the mass organization as set down by the party on a national level, so I want to ask you whether or not since April 1957 you have been engaged in any particular work in that field at the request of the Communist Party.

Mrs. PAPE. I must decline to answer that question on the ground previously stated.

(Witness confers with her counsel.)

The CHAIRMAN. When you say "I must" you mean "I do"?

Mrs. PAPE. I would like to add also that I decline to answer on the basis that the question itself is so vague that I cannot recognize the pertinency of this question as related to the investigation.

Mr. TAVENNER. That is certainly a sound objection, if I have not stated it clearly, so let me ask you specifically. Are you now engaged in Communist Party activities within any mass organization at the behest of the Communist Party?

Mrs. PAPE. I decline to answer the question on the grounds previously stated.

Mr. TAVENNER. But not on the ground of pertinency of the question?

Mrs. PAPE. On the grounds, all the grounds previously stated, including that.

Mr. TAVENNER. Well, in order to make the question more intelligible I think the only way I can do it is to go back and ask you about certain activities of that character which the committee is informed you have been engaged in prior to April 1957. For instance, were you a member of the Labor Youth League and engaged in work in that organization?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated. And for the additional reason that it is not related to any valid legislative purpose.

Mr. TAVENNER. The Labor Youth League is a Communist organization, as you know.

Mrs. PAPE. Is that a question, sir?

Mr. TAVENNER. Yes.

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Although it is not in existence at the immediate time. Are you engaged in any youth work at this time in response to any directive of the Communist Party?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. I offer in evidence and ask that it be marked "Edith Pape Exhibit No. 1," a thermofax copy of an article appearing in the

January 19, 1948, issue of People's World, entitled "Youth rally condemns UMT drive."

In the course of this article I find this statement: "Ex-WAC Edith Weiner was awarded an album of Josh White records for returning the highest number of signatures, 34." Will you look at it, please, and tell us what signatures you obtained and for what purpose?

(Document marked "Edith Pape Exhibit No. 1" and retained in committee files.)

Mrs. PAPE. I decline to answer the question on the grounds previously stated, and in addition I would like to add a further ground, that of infringing on my right to petition guaranteed by the first amendment.

Mr. TAVENNER. Were you not engaged in a campaign with the youth committee for the Independent Progressive Party in opposition to universal military training in 1948?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Were you, on January 18, 1948, a member of the Communist Party?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated.

Mr. TAVENNER. Did you also take an active part in the work of the Independent Progressive Party of California at the instance of the Communist Party or functionaries thereof?

Mrs. PAPE. I decline to answer that question on all the grounds previously stated. In addition, I would like to add the ground that this infringes on my right to a secret ballot and to petition as previously stated.

Mr. TAVENNER. There certainly cannot be anything in the nature of a secret ballot about this. I desire to offer in evidence a photostatic copy of the Independent Progressive Party of California petition to participate in the primary election of June 1, 1948, with a number of signatories thereto, and ask that it be marked "Edith Pape Exhibit No. 2."

The CHAIRMAN. Let it be marked and made a part of the record. (Document marked "Edith Pape Exhibit No. 2" and retained in committee files.)

Mrs. PAPE. Is that a question, sir?

Mr. TAVENNER. No, I am now going to ask you one. Will you please examine the exhibit? You will find at the end of it there is an affidavit over the signature of Miss Edith Weiner. Will you examine it, please, and state whether or not it is your signature?

Mrs. PAPE. I don't understand what the necessity is of my having to examine the document when you have already introduced it into evidence.

Mr. TAVENNER. May I ask that the witness be directed to answer whether that is her signature or not?

The CHAIRMAN. You are directed to answer the question as to whether or not this document contains your signature.

Mrs. PAPE. I am sorry, sir, I find it very difficult to hear you.

The CHAIRMAN. You are directed to answer the question.

Mrs. PAPE. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Mrs. Pape, the committee's investigation in the past years has disclosed the existence of an organization known as the Servicemen's Defense Committee, the purpose of which was to oppose the dishonorable discharge of Communists in the Armed Forces of the United States. Were you a member of the Servicemen's Defense Committee?

Mrs. PAPE. I decline to answer on all grounds previously stated.

Mr. TAVENNER. Did you attend the Los Angeles County convention held in January 1957?

Mrs. PAPE. I decline to answer that question on all grounds previously stated.

Mr. TAVENNER. I believe I have asked you a question of whether you are now a member of the Communist Party.

Mrs. PAPE. I decline to answer that question.

Mr. TAVENNER. To be certain, I will ask you now. Are you?

Mrs. PAPE. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness will be excused.

Mrs. PAPE. Thank you, sir.

Mr. MANES. Mr. Chairman, may I respectfully request that the witness' name and testimony be withheld?

The CHAIRMAN. Will you raise your hand, please? Do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BLAIR. I do.

**TESTIMONY OF NAOMI CLAIRE BLAIR, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN**

Mr. TAVENNER. Will you state your name, please?

Mrs. BLAIR. Naomi Claire Blair.

Mr. TAVENNER. Where do you reside?

Mrs. BLAIR. 327 Laveta Terrace.

Mr. TAVENNER. Will you state when and where you were born?

Mrs. BLAIR. Mr. Congressman, I was brought up to be a law-abiding citizen. I have always felt that it was my duty to cooperate with any legitimate agency of the Government engaged in carrying out legitimate activities. After very careful thought, I have come to the conclusion that this committee is an unconstitutional committee, since under the first amendment Congress is prohibited from passing any laws which would restrict freedom of speech, opinion, or association, and, therefore, I feel it is my right and my duty as a citizen of the United States, in accordance with the teaching of my forefathers, to refuse to cooperate with this committee by answering any questions whatsoever. Therefore, I refuse to answer this question because I do not feel that it is pertinent to any legislation that could be proposed as the result of any investigation carried on by this committee, since the investigation has been primarily in the field of thought and opinion, an area in which it is prohibited that Congress should pass any legislation.

Mr. TAVENNER. Pardon me. Will counsel accompanying the witness identify himself for the record?

Mr. McTernan. John T. McTernan, Margolis, McTernan & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Were you born on March 21, 1902, in Berlin, Wis.?

Mrs. BLAIR. I decline to answer for the reasons previously stated, and also because, although this appears to be an innocent question and the answer to which would be innocent, it is my belief that, considering the nature of this committee, answering this question might lead, be a chain in a link, a link in a chain or circumstantial evidence which might tend to incriminate me. And, therefore, under the fifth amendment, which says that nobody may be asked to be a witness against himself, and under the first amendment, under which I feel you have no business to ask me any questions at all, since you are an unconstitutional committee, I decline to answer, under the first and fifth amendments.

Mr. TAVENNER. According to an investigation that has been conducted by this committee—

Mrs. BLAIR. May I smoke, Mr. Congressman?

The CHAIRMAN. Sure.

Mrs. BLAIR. Thank you.

Mr. TAVENNER (continuing). It has received information that you were a member of the Zapata Section of the Communist Party.

Mrs. BLAIR. Is there a question?

Mr. TAVENNER. Is it true that you are a member of the Zapata Section of the Communist Party of Los Angeles?

Mrs. BLAIR. It seems to me that the answer to that question might be an innocent answer, but I refuse to answer under the first and fifth amendments. Again you are inquiring into associations and beliefs.

Mr. TAVENNER. The committee has information that there is in existence now in southern California a new organization known as the Southern California District of the Communist Party and that in this district there is a council, a district council composed of 62 members; that there are alternates to district meetings designated by the various sections of the Communist Party and sometimes these alternates are referred to as observers. Have you attended one of the district council meetings as an observer?

Mrs. BLAIR. I decline to answer for the reasons previously stated, the first and fifth amendments, and also I believe, isn't it the—may I be permitted to consult my copy of the Constitution? I think it is the fourth amendment to the Constitution which guarantees one against unlawful search.

The right of the people to be secure in their persons, houses, papers, and effects and against any unreasonable searches and seizures shall not be violated.

The committee seems better informed than I do, and I think that before it expects an answer it should state to me what it thinks I am guilty of and the source of its information, the person who makes the accusation. Under the Constitution we have a right to know who makes accusations. Now personally I feel that freedom in our country will be much better guaranteed if everybody has a right to belong to the groups that they wish to belong to and to express their opinions freely. This was the opinion of my forefathers who participated in the founding of this country, and I have no reason to depart from the

very wise instructions that I think my parents and my grandparents gave me. I therefore decline to answer this question under the first and the fifth amendments, as I feel it is my duty as a citizen, a loyal citizen of the United States, to refuse to cooperate with this committee in its unlawful, unconstitutional procedures.

Mr. MOULDER. May I ask you, do you consider it a privilege as an American citizen, as a loyal American citizen which you claim to be, to join or belong to a group which would advocate the overthrow of our Government by force and violence?

Mrs. BLAIR. I know of no such group that advocates the overthrow of the Government by force and violence, and I do not subscribe to such opinions. However, I think this committee would do well to investigate some of the groups who have advertised in the papers that they intend to subvert the Constitution and that have even advocated secession from the United States.

Mr. MOULDER. You, a moment ago, asserted the right to belong to any group?

Mrs. BLAIR. To any group that is conducting itself in a peaceful and a lawful manner. I have no knowledge of any conspiracy. Now, if this committee knows of any conspiracy or any acts that are illegal, then I would suggest that they bring charges, bring this to the attention of the proper authorities and allow it to take proper legal channels. We have laws to take care of illegal acts. But when a committee investigates opinions, associations, then it is in violation of the Constitution in every day of its existence.

Mr. MOULDER. Now, you declined to answer the question?

Mrs. BLAIR. Under the first and the fifth amendments.

Mr. MOULDER. Under the first and fifth amendments. Under the fifth amendment you think that if you answer the question it might furnish information that would subject you to prosecution?

Mrs. BLAIR. It is very probable, considering the nature of this committee and the manner in which they distort things; very probable. In fact, I have heard that way back in colonial days a man was executed as a witch because he admitted he was in the barn at 6 o'clock at night milking his cow. And somebody else, a psychotic, came along and said, "Sure he was in the barn and he was talking to the Devil, had horns. I saw the horns and the tail myself."

Mr. MOULDER. How long have you been in California?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. MOULDER. Do you belong to any illegal group or organization in the State of California?

Mrs. BLAIR. I decline to answer for the same reason. I know of no such organization. However, I decline to answer for the reasons previously stated. I don't know what organizations you term illegal.

Mr. MOULDER. Have you ever had any experience in making speeches?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. The committee has received considerable evidence over a period of several years relating to the activities of the Communist Party in the organization and promotion of the Independent Progressive Party of California, and the committee has at places noted the concentration of Communist Party efforts in that organization. The committee has information that you have been very active in that organization. I want to inquire from you whether or not your ac-

tivity was inspired by the directions or counsel of a Communist Party unit or any functionary in the Communist Party.

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Have you met in Communist Party meetings and there discussed with the leadership, loyal leadership of the Communist Party, what course should be pursued in the Independent Progressive Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Was not the Downtown Club of the Independent Progressive Party the center of your activities in that type of work?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you the person who selected the speakers to appear before that group?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you secretary of the club? That is, the Downtown Club?

Mrs. BLAIR. I decline to answer.

Mr. TAVENNER. Of the Independent Progressive Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you active to the extent that you became a member of the State Central Committee of the Independent Progressive Party in 1954?

Mrs. BLAIR. I decline to answer for the reasons previously stated and for the record I wish to remind the committee that the Independent Progressive Party was a legal organization.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of appointment of members of the State Central Committee in the year 1954 of the Independent Progressive Party and ask that it be marked "Naomi Blair Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

(Document marked "Naomi Blair Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. The first name appearing on the list of those appointed is Nan Blair. Have you been known by the name of Nan Blair?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Approximately 4 years ago the Independent Progressive Party of California lost its right to be on the ballot because of the failure to obtain the necessary petitioners or the necessary vote. I believe, to qualify under the State law. Now after that time, did the Downtown Club of the Independent Progressive Party sponsor the Progressive Forum?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Isn't it true that the organization is still called the Downtown Club?

Mrs. BLAIR. I decline to answer.

Mr. TAVENNER. Just a moment, but that it is the sponsor of the Progressive Forum?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of the Downtown Club, Independent Progressive Party, report, without a date appearing thereon and ask that it be marked "Naomi Blair Exhibit No. 2."

The CHAIRMAN. Mark it and make it a part of the record.

(Document marked "Naomi Blair Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. I desire also to introduce in evidence a second report relating to the Downtown Club, Independent Progressive Party, relating to a club meeting and showing the names of the various officers of the club.

The CHAIRMAN. It will be made a part of the record.

Mr. TAVENNER. May it be introduced and marked "Naomi Blair Exhibit No. 3"?

(Document marked "Naomi Blair Exhibit No. 3" and retained in committee files.)

Mr. TAVENNER. I also desire to introduce into evidence a number of thermofax copies of the Downtown Club News, all bearing the same address, and a thermofax copy of a flyer, "The Downtown Club Forum Presents Jack Greenhill," etc., and ask that they be marked as "Naomi Blair Exhibit No. 4."

The CHAIRMAN. Mark them and make them a part of the record. Let me see the newsletter.

(Exhibit handed to the chairman.)

(Document marked "Naomi Blair Exhibit No. 4" and retained in committee files.)

Mr. TAVENNER. I desire to introduce in evidence also thermofax copies of the Progressive News of February 5, March 1, and May 14, 1958, and two undated issues, but appearing to be 1958, marked "Volume 5, VI," and also "VII" and ask that they be marked with the appropriate number.

The CHAIRMAN. They will be made a part of the record.

(Documents marked "Naomi Blair Exhibit No. 5," and retained in committee files.)

Mr. TAVENNER. I notice there is a heading on these various Progressive News reports "A Nonpartisan Community Club Dedicated to Peace, Freedom, and Equality." Is nonpartisan an accurate description of this paper?

Mrs. BLAIR. I decline to answer for the reasons, for the reasons previously stated.

Mr. TAVENNER. Isn't it actually a tool of the Communist Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Most of these exhibits—and I am looking now particularly at volume IV, No. 6, of May 14, 1958—are signed "The Executive Board of the Downtown Club, Secretary Nan."

Does that refer to you as the secretary of that club?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Weren't you the secretary of that club on that date?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. In addition to participation in the work of these organizations, have you not been active in the Civil Rights Congress?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. And the Los Angeles Committee for Protection of Foreign Born?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. Are you a nurse by profession?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I desire to introduce still another document in evidence, a thermofax copy of the issue of July 20, 1957, People's World, in which Progressive Forum is advertised as having a speaker by the name of Nan Blair.

Will you examine it, please, and state whether or not you are the person referred to? It is underscored in red.

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. May it be introduced in evidence and marked "Naomi Blair Exhibit No. 6"?

The CHAIRMAN. It may be so marked.

(Document marked "Naomi Blair Exhibit No. 6" and retained in committee files.)

Mr. TAVENNER. Do you follow the occupation of a nurse?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

When the committee starts inquiring—

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. BLAIR. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SILVER. I do.

TESTIMONY OF SOPHIE SILVER, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mrs. SILVER. Sophie Silver.

Mr. TAVENNER. It is noted that the witness is represented by the same counsel as the former witness.

Were you born on September 22, 1899, in Novay, Russia?

Mrs. SILVER. Right.

Mr. TAVENNER. What was your maiden name?

Mrs. SILVER. Chelnick.

Mr. TAVENNER. Will you spell it, please?

Mrs. SILVER. C-h-e-l-n-i-c-k.

Mr. TAVENNER. When did you come to this country?

Mrs. SILVER. In 1913.

Mr. TAVENNER. Were you naturalized?

Mrs. SILVER. Yes.

Mr. TAVENNER. As a citizen of the United States in New York on November 4, 1943?

Mrs. SILVER. Right.

Mr. TAVENNER. What is your occupation?

Mrs. SILVER. I am a garment worker.

Mr. TAVENNER. When did you come to California to make it the place of your permanent residence?

Mrs. SILVER. I believe it was in 1946.

Mr. TAVENNER. Have you lived here continuously since that date?

Mrs. SILVER. Yes.

Mr. TAVENNER. According to the committee's information, you were a delegate to and attended the Los Angeles County Communist

Party convention on January 5 and 6, held in Los Angeles on that date in the year 1957. Is that correct?

(Witness confers with counsel.)

Mrs. SILVER. I refuse to answer that question on the grounds of the first amendment.

Mr. TAVENNER. Were you also in attendance at a convention of the Southern California District held on April 13 and 14, 1957?

Mrs. SILVER. I refuse to answer that on the same grounds.

Mr. TAVENNER. According to the committee's information, you are at present a member of the District Council of the Communist Party for the Southern District of California.

(Witness confers with counsel.)

Mr. TAVENNER. Is that correct?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. The district council is the governing body for this district; is it not?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. At a meeting of the district council on July 27, 1958, a number of controversial questions arose, did they not?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Did not Dorothy Healey, on that occasion, somewhat reverse her earlier position of April 13, 1957, relating to Hungary and other questions and by a minority report oppose many of the declarations of the national leadership of the Communist Party? Isn't that true?

Do you understand the question? It was a rather long one. I will break it down.

Mrs. SILVER. No; I do not.

Mr. TAVENNER. Do you recall a minority report made on July 27, 1958, by Dorothy Healey, to the action of the national committee on various questions?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not oppose her and vote for the majority report which was presented in the form of a report by Eugene Dennis, a form of a report by Bob Thompson, and then in the form of a report on trade unionism?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. You were one of those against Dorothy Healey, were you not, in that meeting?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Have you changed your position since July 27?

Mrs. SILVER. I refuse to discuss my business. I refuse to answer on the same grounds.

Mr. TAVENNER. What are the duties of a review commission of the Communist Party?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Weren't you a member of the Review Commission of the Juarez Division of the Communist Party in the years 1953, 1954, and 1955?

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Is it not the duty of such a commission to apply disciplinary action in accordance with the vote of the body?

Mrs. SILVER. Is that a question?

Mr. TAVENNER. Yes.

Mrs. SILVER. I refuse to answer on the same grounds.

Mr. TAVENNER. Is your present address 319 Oxford Avenue, Los Angeles?

Mrs. SILVER. Yes, it is.

Mr. TAVENNER. At meetings of the Review Commission of the Communist Party, are the members brought before that body permitted to have counsel with them?

Mrs. SILVER. I refuse to answer on the same grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Miss JOSEPHSON. I do.

**TESTIMONY OF JESSIE JOSEPHSON, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN**

Mr. TAVENNER. Will you state your name, please?

Miss JOSEPHSON. Jessie Josephson.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. John T. McTernan, Margolis, McTernan & Branton, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. Are you Miss or Mrs.?

Miss JOSEPHSON. Miss.

Mr. TAVENNER. When and where were you born?

Miss JOSEPHSON. Leeds, England.

Mr. TAVENNER. What date?

Miss JOSEPHSON. April 27, 1919.

Mr. TAVENNER. When did you first come to the United States?

Miss JOSEPHSON. I was brought here, I think, in 1923 or 1924.

Mr. TAVENNER. Are you a naturalized American citizen of the United States?

Miss JOSEPHSON. I am a derivative citizen through my parents.

Mr. TAVENNER. You are by way of derivative citizenship?

Miss JOSEPHSON. Right.

Mr. TAVENNER. By virtue of the citizenship of your father?

Miss JOSEPHSON. Yes.

Mr. TAVENNER. What was your father's name?

Miss JOSEPHSON. I think I will decline to answer that, feeling that is an infringement on my right of the first amendment.

Mr. TAVENNER. I haven't asked any question regarding Communist Party interests of your father, but I do want to know the circumstances of your naturalization, and I think I am entitled to receive it. I ask the chairman to direct you to answer.

The CHAIRMAN. You can answer that question. I direct you to answer that question.

Miss JOSEPHSON. Would you repeat the question, please?

Mr. TAVENNER. What was the name of your father? You said you received derivative naturalization through your father. What was his name?

Miss JOSEPHSON. Julius Josephson.

Mr. TAVENNER. When and where was he naturalized?

Miss JOSEPHSON. In Cleveland, Ohio. I am sorry, I forget the exact year—sometime in the twenties; I forget the exact year.

Mr. TAVENNER. When did you first come to California?

Miss JOSEPHSON. In 1947.

Mr. TAVENNER. What is your occupation?

Miss JOSEPHSON. Boxer.

Mr. TAVENNER. Boxer?

Miss JOSEPHSON. Yes, carton boxer.

Mr. TAVENNER. Will you give the committee, please, a statement of your formal educational training?

Miss JOSEPHSON. I went to the 11th grade in high.

Mr. TAVENNER. The committee is informed that the Communist Party of Southern California is governed by a council, a district council composed of 62 persons, and that you are one of those 62 persons. Is it correct that you are a member of that District Council of the Communist Party?

Miss JOSEPHSON. I decline to answer that on the grounds of the first amendment. Secondly, I don't think it is pertinent; and, thirdly, I will not be a witness against myself to incriminate myself.

Mr. TAVENNER. Did you attend the Los Angeles County convention of the Communist Party held January 5 and 6, 1957, as a delegate?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. The committee has received evidence relating to the Communist Party plans in youth organizations. We want to know the extent to which you engaged in the conduct of Communist Party work within youth organizations.

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you not in early 1957 a member of the Labor Youth League?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you not a member of the Communist Party in early 1957?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Did you attend the Labor Youth League convention of July 14, 16, 21, and 22, 1956, in Los Angeles?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you received direction or advice from a Communist Party unit or functionary of the Communist Party to penetrate and work in civic organizations and mass organizations in the community?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you not been particularly active in the Community Service Organization which is a non-Communist organization in Los Angeles?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Have you been active in the Los Angeles Rosenberg-Sobell Committee?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. And the Los Angeles Committee for Protection of Foreign Born?

Miss JOSEPHSON. Same answer as given before.

Mr. TAVENNER. The Independent Progressive Party?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. The Civil Rights Congress?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. The Wells Defense Committee?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. And the Eastside Defense Committee?

Miss JOSEPHSON. Same answer.

Mr. TAVENNER. According to the committee's information, you were identified by Dennis Lancaster, an F.B.I. operator during the Smith Act trial in Los Angeles in 1952, as a member of the Communist Party. Was he in error?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party in 1952?

Miss JOSEPHSON. Same answer as previously given.

Mr. TAVENNER. Are you a member of the Communist Party now?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. Is your present address 2739 1/2 Dobinson Street, Los Angeles?

Miss JOSEPHSON. Yes, it is.

Mr. TAVENNER. There was a very important meeting of the Communist Party of the Southern District of California held on July 27, 1958, at which Dorothy Healey made a minority report and Pettis Perry made a majority report. Our information is that you were present at that meeting. Were you?

Miss JOSEPHSON. Same answer as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MACNAIR. I do.

TESTIMONY OF ARCHIBALD MacNAIR, JR., ACCOMPANIED BY COUNSEL, FRANK MUNOZ

Mr. TAVENNER. Will you please state your name?

Mr. MACNAIR. Archibald MacNair, Jr.

Mr. TAVENNER. Spell your last name, please.

Mr. MACNAIR. M-a-c-N-a-i-r.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. MUNOZ. Frank Munoz, 112 West 9th Street.

Mr. TAVENNER. When and where were you born, Mr. MacNair?

Mr. MACNAIR. I was born in Chicago, Ill., in 1921.

Mr. TAVENNER. Where do you reside?

Mr. MACNAIR. 1235 West 68th Street, Los Angeles.

Mr. TAVENNER. West 68th?

Mr. MACNAIR. That is correct.

Mr. TAVENNER. What is your occupation?

Mr. MACNAIR. I am an unemployed laborer.

Mr. TAVENNER. When employed, you are engaged in work of what type?

Mr. MACNAIR. I am a laborer, working in construction.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. MACNAIR. I won't answer that question, relying on my rights under the first amendment, the fifth amendment, and incidentally, I don't think that it is germane or pertinent to the investigation.

Mr. TAVENNER. The committee has evidence resulting from its investigation that you were here at least as long ago as May 1, 1957, because at that time you were present at the May Day Rally sponsored by the Communist Party in the celebration of the Russian Revolution. Do you recall that incident?

Mr. MACNAIR. I refuse to answer that question on the grounds that I have already given.

Mr. TAVENNER. Were you present at the May Day Rally in 1957?

Mr. MACNAIR. Sir, I refuse to answer that question on the grounds that I have cited.

Mr. TAVENNER. Are you a member of a labor union?

(Witness confers with counsel.)

Mr. MACNAIR. I refuse to answer that question on the grounds that I have previously cited.

Mr. TAVENNER. According to the committee's information you are presently the educational director of the Miscellaneous Industrial Section of the Communist Party in the Southern District of California. Are we correct in that statement?

Mr. MACNAIR. I refuse also, sir, to answer this question on the grounds that I have previously cited.

Mr. TAVENNER. Is Bernard Lusher the head of the section which I referred to?

Mr. MACNAIR. I refuse to answer this question on the grounds that I have previously cited.

Mr. TAVENNER. According to the committee's investigation, you were a delegate to the Los Angeles County Communist Party convention held in Los Angeles on January 5 and 6, 1957. Were you a delegate to that convention?

Mr. MACNAIR. I will not answer that question on the same grounds.

Mr. TAVENNER. You were also a delegate, were you not, to the Southern California District convention held on April 13 and 14, 1957?

Mr. MACNAIR. I will not answer this question on the same grounds.

Mr. TAVENNER. Is your principal assignment in the Communist Party now the carrying out of Communist Party directives within the field of labor?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. What are the present Communist Party objectives in the field of labor in southern California?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. MACNAIR. I will not answer this question, same grounds.

Mr. TAVENNER. There was a very important meeting of the District Council of the Communist Party for the Southern District of California and certain functionaries on July 27, 1958. Do you recall the occasion?

Mr. MACNAIR. Sir, I will not answer this question on the same grounds that I previously cited.

Mr. TAVENNER. But you were present, were you not?

Mr. MACNAIR. I will not answer this question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOSLEY. I do.

TESTIMONY OF CHARLES H. MOSLEY, JR., ACCOMPANIED BY COUNSEL, FRANK MUNOZ

Mr. TAVENNER. Will you state your name, please?

Mr. MOSLEY. My name is Charles H. Mosley, Jr.

Mr. TAVENNER. Spell your last name.

Mr. MOSLEY. M-o-s-l-e-y.

Mr. TAVENNER. It is noted for the record that the same counsel accompanies this witness as the former witness.

When and where were you born, Mr. Mosley?

Mr. MOSLEY. I decline to answer that question on the grounds of pertinency. I don't think the question is pertinent here.

Mr. TAVENNER. Let me put it this way to you. Were you born in Dallas, Tex., on the 1st day of November 1927?

Mr. MOSLEY. I decline to answer that on the—I take the fifth amendment in declining to answer this question and I also take the first amendment, because I feel that this committee has no right to abridge my freedom of speech, my freedom to think, or anything else. So I decline to answer.

Mr. TAVENNER. In other words, you don't have to answer any question propounded by a congressional committee?

Do you not reside at this time at 3319 Homeside, Los Angeles?

Mr. MOSLEY. I decline also to answer that question on the grounds previously stated.

Mr. TAVENNER. Is not your occupation that of a factory worker?

Mr. MOSLEY. I decline also to answer that question on the grounds previously stated.

Mr. TAVENNER. Will you tell the committee, please, what formal educational training you have had?

Mr. MOSLEY. I also decline to answer that question on the grounds previously stated.

Mr. TAVENNER. According to the committee's investigation, you attended the first convention of the Southern California District Communist Party held in Los Angeles on April 13 and 14, 1957. Is that information correct?

Mr. MOSLEY. I also decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Do you recall either hearing Dorothy Healey deliver a report on trade unionism or have you read her report on trade unionism?

Mr. MOSLEY. I also decline again on the ground previously stated.

Mr. TAVENNER. Did you hear the report made by her or have you read it relating to the requirement that rank and file members of the

Communist Party must engage in Communist Party activities within various mass organizations?

Mr. MOSLEY. I give the same answer. I decline on the previously stated—on the grounds previously stated.

Mr. TAVENNER. You have engaged, have you not, in work in the Labor Youth League?

Mr. MOSLEY. I also decline on the same grounds, the grounds previously stated.

Mr. TAVENNER. Have you at the instance of the Communist Party or a functionary of the Communist Party endeavored to carry on its objectives within the Independent Progressive Party of California?

Mr. MOSLEY. My answer is the same. I decline to answer on the grounds previously stated.

Mr. TAVENNER. I desire to offer in evidence a photostatic copy of an Independent Progressive Party appointment of members to the State Central Committee in the year 1954 and ask that it be marked "Mosley Exhibit No. 1."

The CHAIRMAN. It will be made a part of the record.

The first of the three names mentioned as members of the executive committee is Charles Mosley.

(Document marked "Mosley Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Have you been active in the affairs of the American Russian Institute?

Mr. MOSLEY. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. Have you been active in the affairs of the Civil Rights Congress?

Mr. MOSLEY. I decline to answer that on the same grounds.

Mr. TAVENNER. Information of the committee is that you appeared on August 30, 1950, at a city council meeting where an ordinance was being proposed to have members of the Communist Party register and you expressed strong opposition to it.

My first question is, Were you sent by the Communist Party to make such an objection?

Mr. MOSLEY. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. In referring again to the work of the Labor Youth League, were you not a member of the Educational Committee of the Los Angeles Labor Youth League in 1957?

Mr. MOSLEY. I also give the same answer. I decline to answer that on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. MOSLEY. The answer is the same. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PADILLA. I do.

TESTIMONY OF FELIX PADILLA, ACCOMPANIED BY COUNSEL,
JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please, sir?

Mr. PADILLA. P-a-d-i-l-l-a.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. When and where were you born, Mr. Padilla?

Mr. PADILLA. I was born in Puerto Rico.

Mr. TAVENNER. When?

Mr. PADILLA. On May 18, 1907.

Mr. TAVENNER. Where do you reside? Where do you live?

Mr. PADILLA. What do you mean, in Puerto Rico?

Mr. TAVENNER. Here in Los Angeles now?

Mr. PADILLA. 2116 Glendale Boulevard.

Mr. TAVENNER. Are you currently a member of the Communist Party? Are you a member of the Communist Party at this time?

Mr. PADILLA. I refuse to answer that question on the grounds of the first amendment.

Mr. TAVENNER. How long have you resided in Los Angeles County?

Mr. PADILLA. Ten years.

Mr. TAVENNER. Were you engaged in the work of the Communist Party in Puerto Rico?

Mr. PADILLA. I refuse to answer that question on the first amendment, same grounds.

Mr. TAVENNER. Has your work in the Communist Party been concentrated or centered in the field of Mexican-American population?

Mr. PADILLA. Like I previously say, I refuse to answer any questions like this on the grounds of the first amendment and the fifth amendment.

Mr. TAVENNER. As a matter of fact, in 1949 weren't you a member of the National Association of Mexican-Americans?

Mr. PADILLA. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I offer in evidence a thermofax copy of the November 10, 1949, issue of the People's World and the February 10, 1950, issue of the People's World and ask that they be marked "Padilla Exhibits Nos. 1 and 2," respectively.

The CHAIRMAN. They will be made a part of the record.

(Documents marked "Padilla Exhibits Nos. 1 and 2" and retained in committee file.)

Mr. TAVENNER. Both of these articles refer to Mr. Padilla as the Mexican-American National Association—as being of that association.

Are you familiar with an organization called the Trade Union Action Conference for Peace?

Mr. PADILLA. Like I say before, I am not here just on the grounds of my first amendment, invoking the first and fifth amendments to tell you, to say that I don't belong to any of those things, on the grounds of the first and fifth amendment I refuse to answer.

Mr. TAVENNER. Were you not a sponsor of this conference?

Mr. PADILLA. Like previously, I say I refuse to answer any questions regarding to those type on the grounds of the first and fifth amendments.

(Counsel confers with witness.)

Mr. TAVENNER. Are you familiar with an organization called the Trade Union Defense Committee?

Mr. PADILLA. Again I refuse to answer on the previous grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a thermofax copy of an article from the March 24, 1952, issue of the People's World and ask that it be marked as "Padilla Exhibit No. 3."

The CHAIRMAN. It will be made a part of the record.

(Document marked "Padilla Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. Were you a member of, or did you participate in, any of the meetings of the California Emergency Defense Committee?

Mr. PADILLA. Again I refuse to answer on the same previous grounds of the first and fifth amendments.

Mr. TAVENNER. Will you state whether or not it was the purpose of this committee to support the Smith Act defendants in southern California?

Mr. PADILLA. Again, I refuse to answer on the same previous grounds.

Mr. TAVENNER. In January of 1953 were you assigned to the West Lake Club of the Independent Progressive Party?

Mr. PADILLA. Again, I refuse to answer on the same grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Los Angeles Committee for Protection of Foreign Born?

Mr. PADILLA. Again, I refuse to answer on the previous grounds.

Mr. TAVENNER. Were you a member of the Marxist Institute of Los Angeles County?

Mr. PADILLA. I refuse to answer the question on the same previous grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. PADILLA. Again, I have to refuse and decline to answer that question on the same previous grounds.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KATZ. I do.

TESTIMONY OF ELI KATZ, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mr. KATZ. Eli Katz.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West 9th Street, Los Angeles 15.

Mr. TAVENNER. When and where were you born, Mr. Katz?

Mr. KATZ. I was born on August 10, 1928, in Brooklyn, N.Y.

Mr. TAVENNER. Where do you now reside?

Mr. KATZ. 827 North Benton Way, Los Angeles.

Mr. TAVENNER. When did you come to the State of California for the purpose of making this your permanent residence?

Mr. KATZ. 1953.

Mr. TAVENNER. Have you lived here continuously since that date?

Mr. KATZ. Yes.

Mr. TAVENNER. What is your occupation?

Mr. KATZ. I am a lithographer.

Mr. TAVENNER. How long have you been a lithographer?

Mr. KATZ. Approximately 10 years.

Mr. TAVENNER. Will you state what your formal educational training has been?

Mr. KATZ. I think that I am going to decline this question because I feel that it has no pertinency to any legislative purpose of this committee, because I feel that the field of education is one particularly in which ideas are important and that the committee has no right under the Constitution to legislate in the field of ideas, and because I feel that giving information of this sort might tend to incriminate me.

Mr. TAVENNER. Are you familiar with the structure of the Communist Party of the Southern District of California?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you not a member of the governing body, that is, the District Council of the Communist Party for the Southern District of California?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you a delegate to the Los Angeles County Communist Party convention on January 5 and 6, 1957?

Mr. KATZ. I shall have to give the same answer.

Mr. TAVENNER. And also to the California State convention of the Communist Party on January 19 and 20, 1957?

Mr. KATZ. I decline to answer on the same grounds.

Mr. TAVENNER. The committee has learned from the proceedings at these conventions which I have asked you about the importance to the Communist Party of its contemplated activities in the field of youth. Have you been engaged in any Communist Party activities at the request of the Communist Party or any functionary thereof in this important field?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Were you not on July 14, 1956, in attendance at the Labor Youth League convention held in Los Angeles where you were elected to serve on the presiding committee?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Were you not also present at the convention of July 16, 17, 18, and 22, 1956, of the Labor Youth League?

Mr. KATZ. I still must decline to answer on the same grounds.

Mr. TAVENNER. Were you not nominated on July 22 to serve as Labor Youth League chairman of Los Angeles County?

Mr. KATZ. I decline to answer that question on the same grounds.

Mr. TAVENNER. Our information is that you declined the nomination.

Mr. KATZ. I have no comment.

Mr. TAVENNER. I think you have anticipated me and you have answered.

The CHAIRMAN. I didn't hear you.

Mr. TAVENNER. He said "I have no comment."

The CHAIRMAN. I heard that.

Mr. TAVENNER. I would like you to state in all modesty, are you considered an expert on Marxism?

Mr. KATZ. Well——

Mr. TAVENNER. No comment?

Mr. KATZ. I will decline to answer that question, although I think it is rather humorous, on the same grounds.

Mr. TAVENNER. Well, haven't you served as an instructor in a series of classes which began April 24, 1956, on political economy by the Communist Party?

Mr. KATZ. I, of course, refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you participate in the activities of the Los Angeles Committee to Secure Justice in the Rosenberg Case?

Mr. KATZ. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. KATZ. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness will be excused.

(Whereupon, at 5:35 p.m., Thursday, September 4, the committee recessed until 9:30 a.m. Friday, September 5, 1958.)

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

FRIDAY, SEPTEMBER 5, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, California.

EXECUTIVE SESSION ¹

The subcommittee met, pursuant to recess, at 9:45 a.m. in Room 229, Federal Building, Los Angeles, California, Honorable Francis E. Walter (chairman) presiding.

Present: Representatives Francis E. Walter, of Pennsylvania, and Morgan M. Moulder, of Missouri.

Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WHEELER. I do.

TESTIMONY OF WILLIAM A. WHEELER, INVESTIGATOR, UN-AMERICAN ACTIVITIES COMMITTEE

The CHAIRMAN. Your name is William A. Wheeler, and you are an investigator of the Committee on Un-American Activities?

Mr. WHEELER. Yes, sir.

The CHAIRMAN. On the 2nd of September did you call the witness, Don Wheeldin?

Mr. WHEELER. I did, sir.

The CHAIRMAN. Where did you make the call?

Mr. WHEELER. In the room adjoining our hearing room here.

The CHAIRMAN. That is where the witnesses have been instructed to report to before they are called?

Mr. WHEELER. They have not been instructed to report there, sir. It's been made available to them to wait there until they are called.

The CHAIRMAN. That is the room in which all of the witnesses who have testified have been meeting?

Mr. WHEELER. That is correct.

¹ Released by the committee and ordered to be printed.

The CHAIRMAN. Did Mr. Wheeldin answer the call?

Mr. WHEELER. No, sir.

The CHAIRMAN. Do you know Wheeldin by sight?

Mr. WHEELER. I do not. Oh, yes, I do.

The CHAIRMAN. Did you see him there?

Mr. WHEELER. No, I did not.

The CHAIRMAN. Was he there?

Mr. WHEELER. No, sir. In response to calling Mr. Wheeldin, Mr. Al Wirin responded to the call, as well as another attorney, Loren Miller.

The CHAIRMAN. Did they make any explanation about his whereabouts?

Mr. WHEELER. Not to me, sir, no. I was told that he was not present, but where he was they did not say.

The CHAIRMAN. At this point we will introduce the subpoena served on such and such a day on this man.

Mr. TAVENNER. It was served the 31st day of July.

The CHAIRMAN. And pursuant to which his two attorneys appeared at the hearing.

Mr. TAVENNER. May the exhibit be marked "Donald Wheeldin Exhibit No. 1."

(Donald Wheeldin Exhibit No. 1 consists of the subpoena and the return thereon.)

Mr. TAVENNER. Jerry Atinsky.

The CHAIRMAN. Will you raise your right hand, please, and swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ATINSKY. I do.

TESTIMONY OF JERRY ATINSKY, ACCOMPANIED BY COUNSEL, SEYMOUR MANDEL

Mr. TAVENNER. Will you state your name, please, sir?

Mr. ATINSKY. Jerry Atinsky.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel. Will he please identify himself for the record?

Mr. MANDEL. The witness' counsel is Seymour Mandel.

The CHAIRMAN. I did not get the witness' name.

Mr. MANDEL. Jerry Atinsky, and I would like to make a request that the name of the witness not be divulged to the press in view of the statement that you, the chairman, made yesterday, that you wished to protect the names of the witnesses.

Mr. TAVENNER. When and where were you born, Mr. Atinsky?

Mr. ATINSKY. October 9, 1917, Milwaukee, Wis.

Mr. TAVENNER. What is your occupation?

Mr. ATINSKY. Parking lot operator, although you know that, because I was served on the job.

The CHAIRMAN. We don't know that.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. ATINSKY. I came in 1936.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. ATINSKY. Three years high school.

Mr. TAVENNER. Have you served in the Armed Forces of the United States.

Mr. ATINSKY. Yes.

Mr. TAVENNER. Over what period of time?

Mr. ATINSKY. 1941 to 1945, 3½ years in the Navy.

Mr. TAVENNER. You received an honorable discharge?

Mr. ATINSKY. Yes, sir.

Mr. TAVENNER. Mr. Atinsky, it is the committee's information that you are at this time a member of the District Council of the Communist Party for the Southern District of California. Is that correct?

Mr. ATINSKY. I decline to answer this question on the following grounds: The first amendment, the fourth, the fifth amendment, the sixth, the ninth, the tenth amendment and the lack of pertinency.

Mr. TAVENNER. Will you tell the committee, please, whether you know the present membership of the Communist Party in the Southern District of California?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. MANDEL. May it be stipulated at this time that the additional grounds for each declination will be the same as originally stated, word for word?

The CHAIRMAN. Yes, it will be stipulated that when the witness declines to answer the question, the reasons for the declination are those originally stated.

Mr. MANDEL. Thank you, Mr. Chairman.

Mr. TAVENNER. Did you attend as a delegate the Los Angeles County Communist Party convention held in Los Angeles in January of 1957?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you attend a convention of the Communist Party of the Southern District of the State of California held on April 13 and 14, 1957, in Los Angeles?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that Dorothy Healey, chairman of the Communist Party for the Southern District of California, made a report at that convention—did you hear the report or have you read it since that convention?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Are you aware of the action taken by Dorothy Healey in the convention in soft-pedaling the Hungarian question?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you later attend a meeting of the district council on July 27, 1958, in which her position had been largely reversed on that question?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. The committee does not understand that you were present at that meeting, but I want to know whether or not you learned of the action that was taken. That is, did you learn either on a section level or any other level of the action that was taken at the meeting of July 27, 1958?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. In addition to your occupation that you described as being a parking lot owner—

Mr. MANDEL. Operator.

Mr. TAVENNER. —operator, has the Communist Party utilized your services over a period of years in entertaining Communist Party groups or organizations being sponsored by the Communist Party?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. You are a folk singer, are you not?

Mr. ATINSKY. I decline to answer on the same grounds.

Mr. TAVENNER. Did you participate in "Songs for Peace and Russia" program sponsored by the Southern California Peace Crusade on February 21, 1954, at the Park Manor, 607 S. Western Avenue?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a function held on March 28, 1953, at 3251½ South Union Avenue sponsored by the Echo Park Chapter of the Civil Rights Congress?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. You were at that date, that is in 1953, a member of the Echo Park Chapter of the Civil Rights Congress, were you not?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a meeting at 3670 Colonial Avenue, West Los Angeles, on July 10, 1954, the purpose of which was to meet the Smith Act defendants?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you receive directions or encouragement from any Communist Party unit or functionary of the Communist Party to take part in the work of the Los Angeles Rosenberg-Sobell Committee?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not entertain at the West Lake Chapter of the Los Angeles Rosenberg-Sobell Committee held on March 6, 1954?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you become active in the Independent Progressive Party of California as a part of your Communist Party duties?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you entertain at a meeting sponsored by the Independent Progressive Party of Los Angeles at the Cosmopolitan Hotel, 360 South West Lake Avenue, Los Angeles, where the meeting discussed the topic of Guatemala and peace?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you take part, by way of entertaining, in a meeting held on July 10, 1954, at Venice, California, in a meeting entitled, "Greet the Smith Act Defendants on Eve of Appeal," where funds were being raised for the Smith Act defendants?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Is there a branch of the Arts, Sciences and Professions Council known as the Song Makers of that organization?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of it?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Mr. Chairman, I offer in evidence thermofax copy of a program of the First Unitarian Church of Los Angeles for November 25, 1956, showing Jerry Atinsky on the program held on that occasion.

The CHAIRMAN. I just received a letter from somebody mentioning that church. Is that located at 2936 West 8th Street, Los Angeles? It does not matter. Mark that and make it a part of the record.

(Document marked "Atinsky Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I offer in evidence, and ask that it be marked as "Atinsky Exhibit No. 2," a thermofax copy of a flyer advertising songs by the Song Makers of the Arts, Sciences and Professions Council of Southern California, featuring Jerry Atinsky and others.

The CHAIRMAN. It will be made a part of the record.

(Document marked "Atinsky Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. Will you examine the exhibit, please, and state whether or not you performed at the time indicated by the flyer?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Song Makers of the Arts, Sciences and Professions Council at the time and date of that exhibit?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Did you not also entertain for the East Hollywood Civil Rights Congress on January 22, 1955?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I asked you a question a little while ago regarding your connection with the Rosenberg-Sobell Committee of Los Angeles. Did you not participate in community singing for the benefit of that committee on April 26, 1956?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer in evidence, and ask that it be marked "Atinsky Exhibit No. 3," a thermofax copy of the April 26, 1956, issue of the People's World. This article is entitled, "Community Sing' to Aid Sobell Fight."

(Document marked "Atinsky Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. The article is as follows:

A "Community Sing" to aid the fight to free Morton Sobell co-defendant with Ethel and Julius Rosenberg in the trumped-up "spy" trial and now a prisoner at Alcatraz, will be held here May 5.

The sing to be led by Jerry Atinsky and others, will be held at 8729 Holloway dr.

Did you participate in that program?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Will you tell the committee whether or not as part of its plan, of the Communist Party's infiltration into various strata of society in this community, it is the plan to use Communist Party members gifted in entertainment to perform on various occasions?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Are Communist Party members talented in regard to entertainment used for the purpose of raising funds for Communist Party purposes in this area?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I believe earlier in my questioning I indicated that, according to the committee's information, you were not present on July 27, 1958, at the meeting of the district council. I find I am in error in that and that, according to the committee's information, you

were present. Therefore, I want to ask you whether or not that is correct.

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ATINSKY. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BYLER. I do.

The CHAIRMAN. Sit down, please.

TESTIMONY OF MARGARETE ANN BYLER, ACCOMPANIED BY COUNSEL, SEYMOUR MANDEL

Mr. TAVENNER. What is your name?

Mrs. BYLER. Margarete Byler.

Mr. TAVENNER. Are you also known by the name Ann?

Mrs. BYLER. Yes; that is my nickname.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. MANDEL. Witness's counsel is Seymour Mandel. Excuse me. And counsel makes the same request, that the name of this witness not be divulged by the committee nor its staff.

The CHAIRMAN. All right.

Mr. TAVENNER. Where do you reside?

Mrs. BYLER. 999 North Madison Avenue, Pasadena.

Mr. TAVENNER. When and where were you born?

Mrs. BYLER. I decline to answer the question on the basis of the fifth amendment.

Mr. TAVENNER. Were you born in Germany?

Mr. MANDEL. Would you permit her to give her grounds of declination?

Mr. TAVENNER. I thought she had finished.

Mrs. BYLER. On account of the first amendment, the fourth, the fifth, the sixth, ninth, and the tenth.

Mr. TAVENNER. Isn't it a fact that you were born in Germany?

Mrs. BYLER. I have to decline on the same basis to answer the question.

Mr. MANDEL. And counsel requests that the same stipulation as to the prior witness be incorporated herein, that all the grounds are accepted as if repeated word for word.

The CHAIRMAN. Yes; let that be understood.

Mr. MANDEL. Thank you.

Mr. TAVENNER. Are you a naturalized American citizen?

Mrs. BYLER. I have to decline to answer on the same grounds.

Mr. TAVENNER. As a matter of fact, were you not born under the name of Margarete Ann Haller on June 14, 1909, in Hamuthsachsen, Germany?

Mrs. BYLER. I decline to answer all these questions on the same grounds as I stated before.

Mr. TAVENNER. Were you not naturalized as a citizen of the United States in Los Angeles on July 12, 1940?

Mrs. BYLER. I decline on the same grounds as before.

Mr. TAVENNER. Is it not also a fact that you were a member of the Communist Party before the date of your naturalization?

Mrs. BYLER. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Did you attend a meeting of the Southern California District convention of the Communist Party held April 13 and 14, 1957, in Los Angeles?

Mrs. BYLER. I decline to answer the question on the basis as stated before.

Mr. TAVENNER. Have you not been assigned to carry out the Communist Party duty of working within the Independent Progressive Party of California and various community organizations?

Mrs. BYLER. I decline to answer on the same grounds as stated before.

Mr. TAVENNER. Mr. Chairman, I offer in evidence a photostatic copy of the Independent Progressive Party of California petition to participate in the primary election of June 1, 1948, and ask it be marked "Byler Exhibit No. 1."

The CHAIRMAN. Make it a part of the record.

Mr. MANDEL. I would like to register an objection to the introduction on the ground that it is irrelevant and immaterial.

The CHAIRMAN. All right.

(Document marked "Byler Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I will ask the witness to examine the affidavit appearing at the end of the petition over the name of Mrs. Margarete Byler and ask whether or not that is her signature.

Mrs. BYLER. I decline on the same basis as stated before.

Mr. TAVENNER. Did you circulate that petition?

Mrs. BYLER. I have to repeat, declining to answer on the grounds as stated before.

Mr. TAVENNER. Were you active in the formation of the Independent Progressive Party in the State of California?

Mrs. BYLER. I decline on the same basis as stated before.

Mr. TAVENNER. Did you not accept as a Communist Party assignment participation in the Stockholm Peace Petition drive during the year 1950?

Mrs. BYLER. I have to decline on the same basis as stated before.

Mr. TAVENNER. I offer in evidence, Mr. Chairman, a thermofax copy of an excerpt from the August 10, 1950, issue of the People's World and ask that it be marked "Byler Exhibit No. 2." It refers to the activity of Ann Byler, Wheeldin, and others.

The CHAIRMAN. Make it a part of the record.

Mr. MANDEL. I object on the ground previously stated.

The CHAIRMAN. All right.

(Document marked "Byler Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. BYLER. I decline to answer the question on the same basis as stated before.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. Any questions, Judge Moulder?

Mr. MOULDER. No.

The CHAIRMAN. The witness is excused.

Will you come around here, please, and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JACKSON. I do.

**TESTIMONY OF ELIZABETH RICARDO JACKSON, ACCOMPANIED BY
COUNSEL, ROBERT L. BOAGS**

Mr. TAVENNER. What is your name, please?

Mrs. JACKSON. Elizabeth Jackson.

Mr. TAVENNER. A subpoena was issued for you under the name of Elizabeth Ricardo, I believe. You are the same person as Elizabeth Ricardo, are you not?

Mrs. JACKSON. Yes, I am.

Mr. TAVENNER. When were you married?

(The witness confers with her counsel.)

Mrs. JACKSON. October 19, 1957.

Mr. TAVENNER. Where do you reside?

Mrs. JACKSON. My mailing address is 1105 East Vernon Avenue. I formerly resided at 951 Irolo Street.

Mr. TAVENNER. What was your maiden name?

(The witness confers with her counsel.)

Mrs. JACKSON. I decline to answer the question on the ground that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. Now I have asked you merely for the name under which you were born. Do you honestly believe that to answer that question truthfully might tend to incriminate you?

Mrs. JACKSON. Yes, I do.

Mr. MOULDER. Which name is correct, Mr. Chairman, Ricardo or Jackson?

Mrs. JACKSON. My present name is now Elizabeth Jackson.

The CHAIRMAN. When did you become Jackson?

Mrs. JACKSON. October 19, 1957.

The CHAIRMAN. Was your name before that Ricardo?

Mrs. JACKSON. Yes, sir.

Mr. TAVENNER. But Ricardo was your married name prior to your marriage to Jackson. Isn't that true?

Mrs. JACKSON. That is right.

Mr. TAVENNER. Now I am asking what your maiden name was.

Mrs. JACKSON. I have declined to answer that question.

Mr. TAVENNER. Wasn't it Elizabeth Smith?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Weren't you born at Stamford, Conn.?

Mrs. JACKSON. I decline to answer.

Mr. TAVENNER. What was the date of your birth?

Mrs. JACKSON. I decline to answer that question as previously stated.

Mr. TAVENNER. Wasn't it November the 13th, 1913?

Mrs. JACKSON. I decline to answer.

Mr. TAVENNER. The committee is very much interested in finding in the course of its investigation of Communist Party activities in this

area that you signed a letter on December 14, 1957, which was a statement of grievances against the leadership of the Communist Party and that that letter was addressed to the National Committee of the Communist Party. We are familiar with the contents of that letter. We know also that the letter was answered by a report made by Dorothy Healey, which she circulated among all of the sections of the Communist Party so that it could be considered and studied on a section level; but notwithstanding her reply, a number of those who signed the letter of December 14 resigned from the Communist Party and executed a letter tendering their resignation.

We do not find anything indicating you resigned from the Communist Party; so I want to know what happened between December 14, 1957, and March 26, 1958, to change your opinion regarding your complaint against the leadership, national leadership, of the Communist Party.

Mrs. JACKSON. I decline to answer the question on the ground that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. You are aware of the fact, are you not, that there was great opposition by the Communist Party leadership in this area to Dorothy Healey's leadership of the Communist Party, are you not?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. You are also aware of the fact that Pettis Perry advised the leadership of the Communist Party in this area that it was their duty to support the national leadership of the Communist Party, are you not?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Did that have anything to do with your changing your mind about resigning from the Communist Party?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. What pressure was brought upon you to change your views as expressed in the letter of December 14?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You were a member of the Moranda Smith Section of the Communist Party on December 14, 1957, were you not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you sign the letter of grievances of December 14, 1957, with the name "Elizabeth" and then the statement, "Moranda Smith," meaning the Moranda Smith Section of the Communist Party?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You have been active on the staff of the Daily People's World, haven't you?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Was any pressure brought upon you as a member of that staff to cause you to change the decisions reached on December 14, 1957, as indicated in the letter of grievances?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You had been, for a long time, an active member in the Los Angeles Chapter of the Civil Rights Congress, had you not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. And also in the Independent Progressive Party of the State of California?

Mrs. JACKSON. I decline to answer as previously stated.

Mr. TAVENNER. Your particular assignment to the Independent Progressive Party was in the Olympic Club of that party; was it not?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you attend as a delegate the Southern California District convention of the Communist Party held on April 13 and 14, 1957?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Were you also a delegate to the Los Angeles County Communist Party convention held on January 5 and 6, 1957?

Mrs. JACKSON. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Is your present occupation solely that of housewife?

Mrs. JACKSON. I decline to answer on the grounds that it violates my constitutional right against self-incrimination, as well as it violates my constitutional right of free speech and association under the first amendment.

Mr. TAVENNER. I have no further question.

The CHAIRMAN. The witness is excused.

Mr. TAVENNER. Just a moment, please. My attention is called to the fact that I failed to ask counsel for the witness to identify himself for the record.

Mr. BOAGS. I am the attorney. My name is Robert L. Boags.

Mr. TAVENNER. You were with the witness during the entire time of her testimony; were you not?

Mr. BOAGS. Yes; I was.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PACIFICO. I do.

TESTIMONY OF OLA ROSS PACIFICO, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. TAVENNER. Will you state your name, please?

Mrs. PACIFICO. Mrs. Ola Ross Pacifico.

Mr. TAVENNER. Will you spell your last name?

Mrs. PACIFICO. P-a-c-i-f-i-c-o.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Mrs. ROSENBERG. My name is Rose S. Rosenberg.

Mr. TAVENNER. Does your middle name, Ross, indicate that that was your maiden name?

Mrs. PACIFICO. Yes.

Mr. TAVENNER. When and where were you born, Mrs. Pacifico?

Mrs. PACIFICO. I was born September 7, 1902, in the rural area of Oklahoma. I believe it is listed as Blaine County now.

Mr. TAVENNER. Where do you now reside?

Mrs. PACIFICO. 11148 Condon Avenue, Inglewood.

Mr. TAVENNER. California?

Mrs. PACIFICO. California.

Mr. TAVENNER. When did you first come to the State of California to make it the place of your permanent residence?

Mrs. PACIFICO. 1946.

Mr. TAVENNER. What is your occupation?

Mrs. PACIFICO. I am a nurse.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. PACIFICO. I graduated from Teachers College in Oklahoma and took a bachelor's degree in sociology, University of Chicago, and a master's degree in public health at Columbia University in New York.

Mr. TAVENNER. When were you awarded that degree?

Mrs. PACIFICO. 1946. I also am a graduate nurse, and I graduated from the Cook County School of Nursing in 1933.

Mr. TAVENNER. Mrs. Pacifico, the committee has learned of the reorganization of the Communists in the southern part of California. We understand now that there are two districts in California, the Northern and Southern Districts of the Communist Party, and that the governing body of the Southern District of California, of the California Communist Party, is a district council composed of 62 members. We understand that you are one of those district council members. Are you?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Will you tell this committee how this council functions and what its duties are?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. We understand that the membership in this council is made up of representatives from various sections of the Communist Party. Of what section are you a member?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a delegate to the California State convention of the Communist Party held January 19 and 20, 1957—

Mrs. PACIFICO. I refuse to answer on the grounds of the first amendment.

Mr. TAVENNER. Just a moment,—which outlined the course that this reorganization should take?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Have you been a member of the Communist Party for a long time?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you discharged as a city employee in 1949 because of your refusal to sign the loyalty oath?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Communist Party in 1951?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. We have learned of the Communist Party assignments of numerous members of the Communist Party to carry on activities within various mass organizations and among some organizations which are specifically sponsored by the Communist Party. Have you accepted any assignment of that kind?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Have you been active in the Independent Progressive Party of the State of California?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Our investigation discloses that you have been a member of the Civil Rights Congress. Is that correct?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you a member of the Southern California Committee Against Re-Nazification of Germany?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Were you an employee in 1949 of the Los Angeles City Health Department?

Mrs. PACIFICO. May I seek the advice of my counsel?

Mr. TAVENNER. Surely.

(The witness confers with her counsel.)

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. PACIFICO. I refuse to answer on the grounds of the first and fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. Do you have any questions, Mr. Moulder?

Mr. MOULDER. No.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAZER. Yes.

TESTIMONY OF HENRY SAZER, ACCOMPANIED BY COUNSEL, ROSE S. ROSENBERG

Mr. TAVENNER. Will you state your name, please?

Mr. SAZER. Henry Sazer.

Mr. TAVENNER. Will you spell your last name?

Mr. SAZER. S-a-z-e-r.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Mrs. ROSENBERG. My name is Rose S. Rosenberg.

Mr. TAVENNER. Where do you reside, Mr. Sazer?

Mr. SAZER. You have my address there.

Mr. TAVENNER. Will you state it?

Mr. SAZER. 1662 Mohawk Street, L. A. 26.

Mr. TAVENNER. Los Angeles?

Mr. SAZER. Yes.

Mr. TAVENNER. When and where were you born, sir?

Mr. SAZER. Russia, 1896.

Mr. TAVENNER. When did you first come to the United States?

(The witness confers with his counsel.)

Mr. SAZER. In August of 1913.

Mr. TAVENNER. Are you a naturalized United States citizen?

Mr. SAZER. Yes, sir.

Mr. TAVENNER. When and where were you naturalized?

Mr. SAZER. 1921, Cleveland, Ohio.

Mr. TAVENNER. What is your occupation?

Mr. SAZER. I am a cap maker, making caps and hats.

Mr. TAVENNER. Mr. Sazer, did you attend a meeting of the [Southern California] District Council of the Communist Party on July 27, 1958?

Mr. SAZER. I don't see what difference it makes to this committee whether I did or did not attend such a meeting.

Mr. TAVENNER. Well, if you attended that meeting, you are in a position to advise this committee as to some of the things that occurred there.

Mr. SAZER. I don't think the committee has a right to inquire into my activities or associations. In fact, I believe that you are putting the problem upside down. I think it is my right as a citizen to inquire into the activities of my representatives instead of my representatives inquiring into my activities and associations. I don't think you have a right to do that. Who are you?

Mr. TAVENNER. I am counsel for the committee. My name is Frank Tavenner. Now will you answer the question?

Mr. SAZER. I will not answer the question.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. I direct you to answer the question.

Mr. SAZER. I will have to resort to the protection given me under the Constitution under the first and fifth amendments of the Constitution.

Mr. TAVENNER. Did not Dorothy Healey make a minority report at that meeting in which she criticized severely the national leadership of the Communist Party?

Mr. SAZER. I still challenge your right to inquire.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. The witness is directed to answer the question.

Mr. SAZER. As already stated, the first and fifth amendments.

Mr. TAVENNER. After the completion of her report, did not Pettis Perry, who was at the time a member of the National Committee of the Communist Party from the Southern District of California, oppose the report made by Dorothy Healey and tell the members present that it was their duty to support the national leadership's decisions?

Mr. SAZER. I did not say whether I did or did not attend that meeting. Therefore this question, I think, is just out of order.

Mr. TAVENNER. May I ask that the witness be required to answer?

The CHAIRMAN. You are directed to answer the question.

Mr. SAZER. I claim protection of the first and fifth amendments.

Mr. TAVENNER. Did you not take the floor at that meeting yourself and agree with Pettis Perry and state that the leadership of the Communist Party in the Southern District of California is no good and that it should be replaced?

Mr. SAZER. My answer as previously stated.

Mr. TAVENNER. Are you a supporter of the national leadership of the Communist Party?

Mr. SAZER. Still as previously stated.

Mr. TAVENNER. Are you influenced in Communist Party decisions by the position taken by the Soviet Union on what the Communist Party of the United States should do?

Mr. SAZER. I still challenge the right of the committee to inquire into my activities and associations.

Mr. TAVENNER. May I ask the witness be required to answer?

The CHAIRMAN. You are directed to answer that question.

Mr. SAZER. I claim the first and fifth amendments. That's what you want, don't you?

Mr. TAVENNER. No. We want you to answer the question.

Mr. SAZER. I don't think you do.

The CHAIRMAN. Why don't you try it and find out?

Mr. SAZER. Because lots of things that you do don't correspond—that you say don't correspond with facts. For example, you say in this morning's paper that you are interested in protecting people's jobs, and at the same time the police officer served a subpoena on my job in the presence of my employer. That doesn't add any prestige to the committee, in my eyes at least.

The CHAIRMAN. Let's not get into a discussion of prestige. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Our records indicate that you attended the Los Angeles County convention of the Communist Party held January 5 and 6, 1957. Did you do so?

Mr. SAZER. I challenge the right of the committee to inquire into any activities.

Mr. TAVENNER. Are you refusing to answer the question?

Mr. SAZER. Yes, sir; under the first and fifth amendments.

Mr. TAVENNER. I would also like to ask you if you attended the California State convention meeting held on January 19 and 20, 1957?

Mr. SAZER. Same answer.

Mr. TAVENNER. Of what union are you a member?

Mr. SAZER. I decline to state.

Mr. TAVENNER. You decline to state?

Mr. SAZER. That is right.

Mr. TAVENNER. Have you, at the instance of the Communist Party, engaged in Communist Party activities or endeavored to do so within your union?

Mr. SAZER. I decline to answer.

Mr. TAVENNER. Have you been active in the American Jewish Labor Council?

Mr. SAZER. Same challenge, same answer, the first and fifth.

Mr. TAVENNER. Were you not executive secretary of that organization?

Mr. SAZER. I decline to answer on the first and fifth.

Mr. TAVENNER. Isn't it the purpose of that organization to advance the cause of communism in this area?

Mr. SAZER. Same challenge, same answer, on the first and fifth.

Mr. TAVENNER. Have you been active in the work of the Los Angeles Committee for Protection of Foreign Born?

Mr. SAZER. Same challenge, same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SAZER. Same answer, same challenge, the first and fifth.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. The witness is excused.

Call another witness.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. VALLENS. I do.

TESTIMONY OF VIVIAN VALLENS, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. What is your name, please?

Mrs. VALLENS. Vivian Vallens.

Mr. TAVENNER. Will you spell your name?

Mrs. VALLENS. V-i-v-i-a-n V-a-l-l-e-n-s.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis of the California Bar.

Are you Miss or Mrs.?

Mrs. VALLENS. Mrs.

Mr. TAVENNER. What was your maiden name?

Mrs. VALLENS. Meyerowitz.

Mr. TAVENNER. Where do you reside?

Mrs. VALLENS. 9143 South Vicki Drive.

Mr. TAVENNER. When and where were you born?

Mrs. VALLENS. New York City, February 5, 1930.

Mr. TAVENNER. When did you move to California with a view to making it the place of your permanent residence?

Mrs. VALLENS. 1944.

Mr. TAVENNER. What is your occupation?

Mrs. VALLENS. Housewife.

Mr. TAVENNER. Have you had any occupation other than that?

Mrs. VALLENS. I have worked as a bookkeeper.

Mr. TAVENNER. I heard that you were an assembler. Was that correct? Were you employed as an assembler?

Mrs. VALLENS. I think I have had a job at one time as an assembler.

Mr. TAVENNER. When was that?

Mrs. VALLENS. Several years back.

Mr. TAVENNER. What was the general nature of that?

Mrs. VALLENS. I fail to see what this has to do with this. I don't see the pertinency of that question. I fail to see, whether I was in assembly, what that has to do with this particular investigation.

Mr. TAVENNER. It is a matter of identification.

Mrs. VALLENS. Well, I am Vivian Vallens, and I am me. That identifies me.

Mr. TAVENNER. What is the nature of the work of an assembler?

Mrs. VALLENS. I still fail to see what that has to do.

Mr. TAVENNER. May I have a direction, Mr. Chairman?

The CHAIRMAN. You are directed to answer the question. I don't know what the purpose is.

Mrs. VALLENS. I fail——

(The witness confers with her counsel.)

Mrs. VALLENS. If Mr. Chairman doesn't know what the purpose is——

The CHAIRMAN. But I think that counsel does. So it is a preliminary question, and I think you ought to answer it.

Mrs. VALLENS. I can barely hear you.

The CHAIRMAN. I direct you to answer the question.

Mrs. VALLENS. Would you re-ask the original question, please?

Mr. TAVENNER. Yes. What general type of work were you engaged in as an assembler?

Mrs. VALLENS. Assembling parts for television sets.

Mr. TAVENNER. The committee, in the course of its investigation, has learned that there has been a reorganization of the Communist Party in southern California; that, organizationally speaking, the area is now within the Southern District of California of the Communist Party; and that that area is governed by a district council composed of 62 members. The committee is also informed that you are a member of that district council. Is that correct?

Mrs. VALLENS. I refuse to answer that question on the basis of the first amendment to the Constitution, which says that Congress shall make no law abridging freedom of speech and press or the right for people to petition. I further decline to answer that question on the basis of the fifth amendment, which says that no person can be compelled to testify against himself.

Mr. TAVENNER. Did you attend——

Mr. MARGOLIS. The witness has a ground.

Mrs. VALLENS. I also don't feel that that question is pertinent.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been, your formal education?

Mrs. VALLENS. My formal education?

Mr. TAVENNER. Yes.

Mrs. VALLENS. I went to grammar school, high school, and one semester of college.

Mr. TAVENNER. Where did you attend college?

Mrs. VALLENS. UCLA.

The CHAIRMAN. Where did you say?

Mrs. VALLENS. UCLA.

Mr. TAVENNER. What year was that?

Mrs. VALLENS. 1947.

Mr. TAVENNER. Considerable emphasis was placed by Dorothy Healey in her report to the Southern California District convention,

held on April 13 and 14, 1957, regarding youth activities in the Communist Party. The subject was given consideration also at the Sixteenth National Convention of the Communist Party in New York, which was held in February, 1957.

Have you for many years been active in a Communist Party assignment in youth organizations?

(The witness confers with her counsel.)

Mrs. VALLENS. I feel that your question makes many assumptions that are not based on anything that factually is presented, and I also feel that any organizations I do or do not belong to are my own personal affair and not the business of anybody else, and I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Let me put the question this way: Were you active while a student in the organization of the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. The Youth for Wallace organization?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. The Students Organizing Committee of the Independent Progressive Party?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not, in fact, president of the Patriots Club of the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not a member of the Students Organizing Committee of the Independent Progressive Party while you were at UCLA?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. After completion of your college work, were you not active in the work of the Labor Youth League, which was the successor to the American Youth for Democracy?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not elected to serve on the finance committee at the convention of the Los Angeles County Labor Youth League held on July 14, 1956?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Were you not, on August 2, 1956, elected to the position of social director of the Labor Youth League of Los Angeles County although you were not present at the time of your election?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Did you accept the office?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Are you aware of the program established by Dorothy Healey in the field of youth?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. VALLENS. Same answer.

Mr. TAVENNER. I have no further questions.

The CHAIRMAN. No questions.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAESKY. I do.

TESTIMONY OF LEO BAEFSKY, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. BAEFSKY. Leo Baefsky.

Mr. TAVENNER. Will you spell your last name?

Mr. BAEFSKY. B-a-e-f-s-k-y.

Mr. TAVENNER. It is noted that the witness is accompanied by Ben Margolis, a member of the California Bar.

Mr. TAVENNER. Where do you reside, Mr. Baefsky?

Mr. BAEFSKY. 436 Brightwood, Monterey Park.

Mr. TAVENNER. When and where were you born?

Mr. BAEFSKY. Chicago, Ill.

Mr. TAVENNER. When?

Mr. BAEFSKY. July 6, 1919.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. BAEFSKY. 1940.

Mr. TAVENNER. What is your occupation?

Mr. BAEFSKY. I am an accountant.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BAEFSKY. Starting with grammar school?

Mr. TAVENNER. Yes.

Mr. BAEFSKY. Grammar school, high school in Chicago, a year and a half of college in Chicago, and the balance of my college education at UCLA.

Mr. TAVENNER. When did you complete your college work?

Mr. BAEFSKY. 1946.

Mr. TAVENNER. Have you been engaged in youth activities of the Communist Party in Los Angeles?

Mr. BAEFSKY. I don't consider this a question which is pertinent to the legislative function. I consider it an infringement of my rights which are guaranteed me by the Constitution. For example, I think you are familiar with the fact that Article I says that Congress shall make no law abridging freedom of speech or the press or the rights of the people peaceably to assemble and petition the Government for a redress of their grievances. I consider a question which discusses my activities is formed within the framework of this Article.

The CHAIRMAN. Maybe I could point out to you the relevancy by reading to you a part of the report to the Southern California District convention by Dorothy Healey, in which she says:

We are not in a position to project a definitive program of work among youth. We know that the future of our party lies in our ability to win youth to the cause of socialism, but while we cannot yet answer the question of what type of Marxist youth organization should emerge, we can state that high on the priority list of our party's program, should be the planned and conscious approach toward the young people in the mass organizations and unions in which we [meaning the Communists] participate.

Now it is because of this statement we are interested in knowing about youth activities.

Mr. BAEFSKY. Well, Mr. Chairman, as I understand it, questions must be pertinent to a legislative function, and legislation in the

field of ideas is forbidden by the first amendment. As I pointed out previously, the first amendment says——

The CHAIRMAN. Yes. I have a speaking acquaintance with the first amendment and all the other amendments, but I am going to direct you to answer the question.

Mr. MARGOLIS. I don't think the witness had an opportunity to completely state his grounds. I think you interrupted him while he was stating them.

Mr. BAEFSKY. I would like to point out, on the grounds previously stated, and I read the gist of the first amendment, and I would also like to point out that I refuse to answer the question under privilege afforded me under the fifth amendment, which says that no person can be compelled to testify against himself. I add this without any indication of guilt on my part.

Mr. TAVENNER. The explanation made by the chairman taken from the report of Dorothy Healey has reference to that report which she made at the first Southern California District convention of the Communist Party, held on April 13 and 14, 1957. Did you attend that convention?

Mr. BAEFSKY. I am sorry, sir, I would like to refuse to answer that question on the grounds previously stated. I consider the question infringes on my rights of association and of freedom of speech and action.

Mr. TAVENNER. Have you not studied the very report that was referred to by the chairman?

Mr. BAEFSKY. I am sorry, sir, I will have to refuse to answer the question on the grounds previously stated. The question is not pertinent to legislative inquiry, as I understand.

Mr. TAVENNER. Are you aware of what is being done now by the Communist Party of the Southern District of California in the youth field?

Mr. BAEFSKY. I am sorry, sir, I consider any questions in this field not to be pertinent to a legislative inquiry, and I must stand upon the grounds previously stated in answering them.

Mr. TAVENNER. You have been experienced, have you not, in the Communist Party work within youth organizations back to the time of your college days; isn't that so?

Mr. BAEFSKY. Mr. Interrogator, I must refuse to answer any questions on my political beliefs or political associations. I consider them not a fit arena for legislation. It is expressly forbidden by the first amendment.

Mr. TAVENNER. While at the University of California in 1945, were you not the executive secretary of the Four Freedoms Club of the American Youth for Democracy?

Mr. BAEFSKY. As I said previously, I consider these questions not relevant to a legislative inquiry. Thus, I must refuse to answer them on the grounds previously stated.

Mr. TAVENNER. Weren't you on the editorial staff of the publication known as Campus Currents which was put out by the Four Freedoms Club of the American Youth for Democracy of the Communist Party?

Mr. BAEFSKY. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. BAEFSKY. I must refuse to answer again on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PARNES. I do.

TESTIMONY OF ESTELLE PARNES, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please?

Mrs. PARNES. Mrs. Estelle Parnes.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis, member of the California Bar.

What was your maiden name, Mrs. Parnes?

Mrs. PARNES. Estelle Kurland.

Mr. TAVENNER. Kurland. Spell it, please.

Mrs. PARNES. K-u-r-l-a-n-d.

Mr. TAVENNER. Where do you reside?

Mrs. PARNES. Norwalk, 10515 Angell Street.

Mr. TAVENNER. When and where were you born?

Mrs. PARNES. 1929, August 24, Phoenix, Ariz.

Mr. TAVENNER. When did you move to California for the purpose of making it your permanent residence?

Mrs. PARNES. I believe it was 1942.

Mr. TAVENNER. The committee has learned of the contents of Dorothy Healey's report to the Southern California District convention of the Communist Party which she made at a meeting on April the 13th and 14th, 1957. Are you aware of the contents of that report?

Mrs. PARNES. I can't see how this question could possibly be relevant or pertinent to anything that the committee has in mind. And since the actions and questions of the committee violate the Constitution and the Bill of Rights, as well as my own personal convictions, I will refuse to answer any questions of this committee that will violate the first amendment to the Constitution and abridge my freedom of speech and right to associate with whom I please, and I also will refuse to answer any questions which might incriminate me as guaranteed by the fifth amendment to the Constitution.

Mr. TAVENNER. Will you tell the committee, please, if you know what the plans of the Communist Party are, at this time, for the advancement of Communist Party objectives within youth organizations?

Mrs. PARNES. I cite my previous answer.

(The witness confers with her counsel.)

Mr. TAVENNER. The meeting to which I referred as being held on April 13 and 14, 1957, was a meeting of the Southern California District convention of the Communist Party. There was also a meeting later on July 27, 1958, of the District Council of the Communist Party, Southern District, California. Our investigation does not disclose that you were present, but did you learn of the directives and the action taken at that meeting?

Mrs. PARNES. Questions of this nature are intended simply to smear, blacklist, and hound people who may have a dissident point of view and have the courage to express this point of view. I will continue to refuse to answer this question, and I cite my previous grounds.

Mr. TAVENNER. Were you a delegate to the Southern California District convention held on April 13 and 14?

Mrs. PARNES. I cite my previous grounds.

Mr. TAVENNER. Have you not been active for a long period of years in promoting the Communist Party objectives among youth organizations?

Mrs. PARNES. This committee exists primarily to intimidate decent people into fear of expressing their ideas. This type of question is designed to do just that. I give the same answer.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. PARNES. Yes. I went to grammar school, high school, and 4 years of college.

Mr. TAVENNER. Where did you attend college?

Mrs. PARNES. UCLA.

Mr. TAVENNER. When did you complete your college work at UCLA?

Mrs. PARNES. I left school to get married in 1949.

Mr. TAVENNER. While at UCLA, were you the chairman of the UCLA Chapter of the Labor Youth League, which was the successor organization to the American Youth for Democracy and the Young Communist League?

Mrs. PARNES. Any questions of that nature I will give the same answer to. Any associations, organization, that I have belonged to are my own business. I will not be compelled by any committee to testify as to the nature of these organizations. The same answer.

Mr. TAVENNER. After leaving the university, did you not continue your work within the Labor Youth League of California until the time of its termination in 1956?

Mrs. PARNES. Same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. PARNES. Same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you stand up, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SARNOFF. I do.

TESTIMONY OF IRVING SARNOFF, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please, sir?

Mr. SARNOFF. Irving Sarnoff.

Mr. TAVENNER. It is noted for the record that the witness is accompanied by Mr. Ben Margolis, of the California Bar.

When and where were you born, Mr. Sarnoff?

Mr. SARNOFF. I was born in New York City on May 25, 1930.

Mr. TAVENNER. When did you first come to the State of California to make it the place of your residence?

Mr. SARNOFF. 1946.

Mr. TAVENNER. What is your occupation?

Mr. SARNOFF. I am a car inspector.

Mr. TAVENNER. Railroad?

Mr. SARNOFF. That is right.

Mr. TAVENNER. What has been your formal educational training?

Mr. SARNOFF. I went to public school, grade school, and high school.

Mr. TAVENNER. Were you in the Armed Forces of the United States?

Mr. SARNOFF. Yes.

Mr. TAVENNER. How long?

Mr. SARNOFF. Approximately 1 year.

Mr. TAVENNER. How long have you been engaged in the work of a railroad car inspector?

Mr. SARNOFF. I don't see where that question is pertinent.

Mr. TAVENNER. Let me put it another way. What other work record have you had besides that of a railroad car inspector since being in California?

Mr. SARNOFF. I don't see where that question, sir, is pertinent to a legislative inquiry.

Mr. TAVENNER. May I have a direction?

The CHAIRMAN. You are directed to answer the question, Mr. Sar-noff.

Mr. SARNOFF. If you wish—my employment in the place that I mentioned; I was employed by the United States Army; and previous to that, I was an assembler for Hoffman Television Company.

Mr. TAVENNER. When did your services in the military forces end?

Mr. SARNOFF. March 26, 1952, I believe.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. SARNOFF. Yes.

Mr. TAVENNER. Are you at this time a member of the District Council for the Southern California District of the Communist Party?

Mr. SARNOFF. On the ground of the first amendment, which prohibits legislative inquiries into the field of speech, the field of association, the field of ideas, I do not feel that this question is a proper question, and on the grounds of pertinence relative to the fact that I don't see how that question is pertinent to a legislative inquiry of this nature, and on the ground of the fifth amendment to the Constitution, which protects a witness from being a witness against himself, I would refuse to answer that question.

Mr. TAVENNER. Did you attend the Los Angeles County Communist Party convention held on January 5 and 6, 1957?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did you attend the California State convention of the Communist Party held on January 19 and 20, 1957?

Mr. SARNOFF. I refuse to answer that on the grounds previously stated.

Mr. TAVENNER. The committee is informed that you attended a convention of the newly formed Southern District of the Communist

Party of Southern California on April 13 and 14, 1957. Is it true that you were there?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you familiar with the report of Dorothy Healey made at that convention relating, particularly, to the Communist Party attitude toward work within youth organizations?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Have you not been active in behalf of the Communist Party in the promotion of its program among youth organizations?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you a member of the American Youth for Democracy organization?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. As late as 1956 were you not the labor director of the Los Angeles County Labor Youth League?

Mr. SARNOFF. I would refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you not a member of the executive committee of the Labor Youth League and in 1957 a delegate to the Labor Youth convention?

Mr. SARNOFF. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SARNOFF. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TALBOT. I do.

The CHAIRMAN. Sit down.

TESTIMONY OF WILLIAM W. TALBOT, ACCOMPANIED BY COUNSEL, BEN MARGOLIS

Mr. TAVENNER. Will you state your name, please?

Mr. TALBOT. William Talbot.

Mr. TAVENNER. Will you spell your last name?

Mr. TALBOT. T-a-l-b-o-t.

Mr. TAVENNER. It is noted that the witness is accompanied by Mr. Ben Margolis, of the California Bar.

When and where were you born, Mr. Talbot?

Mr. TALBOT. I was born in Panguitch, Utah.

Mr. TAVENNER. Will you spell it?

Mr. TALBOT. P-a-n-g-u-i-t-c-h.

Mr. TAVENNER. What date?

Mr. TALBOT. 1908. My parents and all four of my grandparents were likewise born in Utah.

Mr. TAVENNER. Where do you now reside?

Mr. TALBOT. 1806 Montana Street, Los Angeles.

Mr. TAVENNER. When did you first come to California to make it the place of your permanent residence?

Mr. TALBOT. The fall of 1950.

Mr. TAVENNER. '50?

Mr. TALBOT. Yes.

Mr. TAVENNER. What is your formal educational training?

Mr. TALBOT. I graduated from the eighth grade, grammar school.

Mr. TAVENNER. What is your occupation?

Mr. TALBOT. Well, I have worked 14 years in mining. I worked in the building construction, canning factories, furniture factory, and the railroads, and machine shops. Most of the time as a miner.

Mr. TAVENNER. Will you state whether or not prior to 1950 you were an organizer of the Communist Party in Utah and Idaho?

Mr. TALBOT. On the grounds that that infringes on my rights under the first amendment to the Constitution, I invoke the first amendment in answer to that question.

Mr. TAVENNER. After coming to Los Angeles, have you not engaged in Communist Party work within various Communist front organizations?

Mr. TALBOT. I think I will invoke the same answer to that question.

Mr. TAVENNER. Have you not conducted Marxist classes over the period from May 3, 1953, to September 29, 1953?

Mr. TALBOT. Same answer to that question.

Mr. TAVENNER. Were you a delegate to the State convention, the California State convention of the Communist Party, held in Los Angeles on January 19 and 20, 1957?

Mr. TALBOT. Same answer.

Mr. TAVENNER. Were you not also a delegate to the Southern California District convention held on April 13 and 14, 1957?

Mr. TALBOT. I will give you the same answer to that question.

Mr. TAVENNER. Didn't you attend both of these conventions?

Mr. TALBOT. That involves my right of association, and I will cite the same answer.

Mr. TAVENNER. Are you a member of a trade union?

Mr. TALBOT. I will cite the same answer to that question.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. TALBOT. Same answer to that question.

Mr. TAVENNER. I have no further questions.

(Whereupon, at 11:45 a.m. Friday, September 5, 1958, the subcommittee adjourned, subject to the call of the Chair.)

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